

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
December 20, 2017**

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:07 p.m. by Council President Lombardi followed by the Pledge of Allegiance.

Council President Lombardi asked for a moment of silence for the victims of the recent train derailment.

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

Councilmember Gomez was absent.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliott, Township Engineer O'Brien, Assistant Public Works Director Russomanno, Deputy Police Chief Mieczkowski, Fire Chief Latham and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 30, 2016 and posted in the Main Lobby of the Municipal Complex on the same date.

4. REVIEW OF MINUTES:

a. and b. Accepted as submitted.

5. REPORTS FROM ALL COUNCIL COMMITTEES:

Council President Lombardi, the Finance Committee met last week to go over the year end, .he asked Ms. Ruane to give a brief report.

Ms. Ruane reported we are right on target on revenues and expenditures. We will be canceling some appropriations tonight. We did very well this past year. We will be meeting with Finance Committee sometime toward end of January.

Councilmember Coyle, on behalf of Environmental Commission they requested to present to council their 2018 Goals.

6. POINTS OF LIGHT:

Council President Lombardi, last week on Thursday along with Councilmember Gomez and Coyle, they attended the Menorah lighting it was well attend music was great entertainment. January 1, 2018 we will have our Re-Organization Meeting at 12:00 noon in Council Chambers.

Councilmember Sendelsky last Sunday he attended the Wreaths Across America at St. James Church. Mayor Lankey along with Senator Diegnan were in attendance honoring our Veterans. Some residents in attendance were Bruce Diamond, Fred Wolke and Walt Stochel . A lot of nice songs were sung.

Councilmember Coyle, on December 26, 2017 at the Skylark Diner the Health Department is sponsoring a Blood Drive from 2:00pm to 8:00pm.

7. FROM THE BUSINESS ADMINISTRATOR:

a. no comment was made

b. Councilmember Shah asked if this special labor council is due to conflicts.

Mr. Northgrave, this is for union contracts for uniformed services.

c. No comments was made

d. Councilmember Patil asked for explanation.

Ms. Ruane said she will get back to him with this information.

e. through h No comments were made.

8. FROM THE DEPARTMENT OF FINANCE:

a. through c. No comments were made.

e. Councilmember Patil, asked what debt?

Ms. Ruane explained this is old debt that needs to be paid in 2018.

f. and g. No comments were made.

h. Council President added Resolution R.760-122017, Resolution refund of tax overpayments.

10. FROM THE DEPARTMENT OF LAW:

a. This Resolution is being pulling off Agenda Resolution R.757-122017.

b. and c. No comments were made.

11. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through e. No comments were made.

f. Councilmember Shah, asked for explanation on boiler rental.

Mr. O'Brien explained this is temporary for now we will be looking at options next year.

g. and h. Councilmember Shah is this the firehouse renovations?

Mr. O'Brien, equipment and appliances were not included in contract.

h. Mr. O'Brien roof for DPW garage.

g. Councilmember Coyle, what is the status of the Firehouse kitchen, it's not even prepped.

Mr. O'Brien stressed the fact we cannot force them, the revised schedule until middle of January 2018.

12. FROM THE PUBLIC WORKS:

a. and b. No comments were made

13. FROM THE DEPARTMENT OF RECREATION:

a. No comment was made.

14. FROM THE CHIEF OF FIRE:

a. and b. No comments were made.

c. Councilmember Shah, is this the trailer?

Council President Lombardi, yes it's for the Firehouse.

15. FROM THE CHIEF OF POLICE:

a. and b. No comments were made.

16. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Sendelsky gave his report as follows:

Edison Township Planning Board Meeting of Monday December 18, 2017

Resolution #P5195 Jeff Vorhees 92 Pacific Street , Minor subdivision was approved unanimously.

Application #P5193 Project Ethel LLC, 92 and 94 Ethel Road Block 20 lots 4.E, 4.N, and 4B was granted an extension until **February 1, 2018.**

Application #P13-2017 Mary Mercado - 161 Lincoln Highway, Block 672 Lots 1-12 was held over until **January 17, 2018.**

Case #P14-2017 Summit Associates Inc. 450 Raritan Center Parkway Block 395 Lot 2 was a proposal for change/addition in the parking configuration. Originally a variance was requested but one new parking space was eliminated to remove the need for any new variances. 184 parking stalls are existing and 98 new ones will be added for a new grand total of 282 spaces. Since 255 were required there is plenty of excess parking. The engineer testified that they will be adding LED lighting to the entire site for better pedestrian visibility not just the expanded areas. The property is in a flood hazard zone. A motion was made to approve the application with the following conditions: that they will comply with both our engineer and planners reports, that they will replace all lighting in the areas not just the expanded one with LED lighting and that if any changes are made to the site plan that they will have to come back before the board for approval. The motion was approved unanimously.

The next case was Resolution R.693-122017 referring the proposed ordinance amending the GB and GBH General Business districts to include a convenience store with fuel station as a permitted use. Mr. Danielle explained that this Resolution was previously approved by the Planning Board but required re-affirmation of the previous vote due to a clerical error. The vote on this was unanimous.

The last item was a presentation by Barbara Haskins Davis Professional Planner of The Land Conservancy for the Open Space and Recreation Plan Update. The preliminary draft plan was presented to the board and the public. Goals of the Plan update were stated along with an Action Plan (short term, mid-term, long term and ongoing). Ms. Haskins answered questions from the board and the public. In addition, various members of the open space committee commented on the plan update. The board will get together to discuss the plan at one of our next regularly scheduled meetings and then make recommendations to the council for approval of the revised Open Space Plan.

Next Meeting will be Wednesday January 17, 2018

Respectfully Submitted: Councilmember Leonard D. Sendelsky

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

O.1995-2017 Councilmember Coyle requested to table this ordinance for further discussion.

Mr. Northgrave, there are some questions that have raised it make senses to table this ordinance.

Council President Lombardi, this Ordinance is now tabled and it will not be on Agenda for discussion tonight.

O.1996-2017 Councilmember Patil asked if this is expected.

Ms. Ruane explained she never knows at the beginning of each year who will be retiring. We do this ordinance this time every year.

18. DISCUSSION ITEMS:

Council President Lombardi:

a. He thanked Councilwoman Shah for her service the last four years.

Councilmember Coyle:

a. He thanked Councilwoman Shah for all the things you have done while serving on council and School Board.

b. He thanked Councilmember Sendelsky for his work on the situation at Nissan.

c. He spoke to administration regarding a plan for enforcement in 2018.

d. Regarding 3175 Woodbridge Avenue asked if they received a CO for that location.

Councilmember Diehl:

a. He received an update on Top Golf from Mr. Northgrave.

Mr. Northgrave, no further update he will follow up it they filed with Planning Board application.

b. Thank the residents on the deer situation they are happy that council is investigating.

Mr. Elliot is in communication with Mr. DeNicola. He is awaiting a date.

c. Regarding the Racist Flyer, he is in contact with our police department he was assured investigation is still ongoing. He is continuing to gather information on the problems during primary and general elections and will provide this council with a report in the New Year. He said this is not sour grapes I won.

d. Councilwoman Shah you missed all the nice things I said about you at the last meeting. She brought a lot to this council. We are here the phone lines are open, please come by.

Councilmember Gomez:

a. Absent

Councilmember Patil:

a. Councilwoman this is your last meeting your voice will be heard, we will miss you thank you for your service.

Councilmember Sendelsky:

- a. Thanked Mr. Ruane and Mr. O'Brien regarding the issues on the Nissan situations.
- b. He asked for an update on when the new plows will be arriving.

Ms. Ruane, they are coming soon it can be up to 90 days.

- c. Everyone on this council is concerned on that racial flyer and trusts the prosecutor and our police will handle it properly.
- d. We will miss you Councilwoman Shah and please if you have any issues bring to our attention.
- e. The Police and Fire brought over 1000 Toys for Tots this year thank you.

Councilmember Shah:

- a. none

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky and duly carried, the Minutes of the Combined Meeting of October 11, 2017 and Worksession Meeting of October 23, 2017 were accepted as submitted.

APPROVAL OF VOLUNTEER FIREFIGHTERS:

Applications for membership were received by:

Raritan Engine Company #1

- Chase T. Esser
- Nicholas J. Marics
- Jeff N. Peterson
- Justin M. Ruetsch

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

COUNCIL PRESIDENT'S REMARKS:

Council President Lombardi, Wished everyone one a Happy Holiday season and Healthy Prosperous New Year.

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinances, which were introduced by Title on December 6, 2017 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

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.

(The above Ordinance O.1996-2017 can be found in its entirety in Ordinance Book #27.)

Council President Lombardi declared the Public Hearing opened for O.1996-2017

Bruce Diamond, 74 Calvert Avenue, West, he asked if we have a policy use it or lose it for sick time.

Ms. Ruane, any new hires since 2011 are capped at \$15,000.00.

Irene Wall, 205 Fleet Avenue, she thought we had use it or lose it.

Ms. Ruane replied never.

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 Sendelsky seconded by Councilmember Patil the Ordinance was adopted.

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

ABSENT: Councilmember Gomez

ABSENT FROM VOTE: Councilmember Coyle

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.709-122017 through R.756-122017 and R.758-122017 through R.760-122017.

Bruce Diamond, 74 Calvert Avenue, West Resolution R.746-122017, he thought we were discussing the closing of Stelton Community Center.

Mr. O'Brien explained this is temporary, we will be assessing next year.

Mr. Diamond on Resolution R.757-122017 which is being pulled off asked where is this lot?

Council President Lombardi, its across from Hilltop.

Esther Nemitz, 162B Fay Street, Resolution R.712-122017, asked for explanation.

Mr. O'Brien explained it's a grant requesting to fund improvements, application is due now.

Ms. Nemitz, asked for explanation on Resolution R.758-122017.

Mr. O'Brien this is a DOT upgrading of Handicapped ramps.

Ms. Nemitz, Resolution R.759-122017 please explain.

Council President Lombardi, they are making a donation to the town

Irene Wall, 205 Fleet Avenue, Resolution R.713-122018 why do they have 5 years of tax appeals ?

Council President Lombardi, they were held up in the court system.

Fred Wolke, Resolutions, R. 710-122017 through R.722-122017 Tax appeals are they all in the budget?

Ms. Ruane, the finance committee has the spread sheets, she will resend to you. The tax appeals are all under control we not borrowing the money they are all in the budget.

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

Councilmember Coyle requested that Resolution R.746-122017 be pulled for separate vote.

The following Resolutions R709-122017 through R.745-122017 and R.747-122017 through R.756-122017 and R758-122017 through R.760-122017 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Shah.

RESOLUTION R.709-122017

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING DECEMBER 14, 2017.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through December 14, 2017.

FUND	AMOUNT
Current	\$14,588,137.75
Sewer Utility	2,315,653.70
Capital	96,059.99
Grant Funds	5,656.54
Dog (Animal Control)	11,278.37
Trust	250,642.25
CDBG	125,061.94
Tree Fund	0.00
Payroll Deduction	559,302.42
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Sanitation Fund	189,828.50
Self Insurance	0.00
Affordable Housing	32,392.73
Cash Performance	0.00
Developers Escrow	39,680.25
Tree Planting	0.00
Federal Forfeited	16,342.50
Tax Sale Redemption	48,249.11
TOTAL	\$18,278,286.05

/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.710-122017

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 **\$139,036.05**.

RESOLUTION R.711-122017

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 **2017**; 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	LOEFFLER, RONNIE & EMMALYN
Property Location:	6 Nancy Circle
Block/Lot/Qualifier	337.C / 1
Sewer Account:	7467-0
Amount to be Refunded:	\$ 216.17
Property Owner	SHOPPING CTR ASSO %SIMON PROP GROUP
Property Location:	60-70 PARSONAGE RD
Block/Lot/Qualifier	686/ 6.D1
Sewer Account:	17351-2
Amount to be Refunded:	\$14,941.17
GRAND TOTAL	\$ 15,157.34

3. This Resolution shall take effect immediately.

RESOLUTION R.712-122017

EXPLANATION: Resolution approving the submission of a 2018 New Jersey Department of Transportation – Local Freight Impact Fund grant application and execution of a grant agreement for the Heller Park Road Reconstruction Project.

WHEREAS, the Township of Edison wishes to apply for and obtain funding through the 2018 New Jersey Department of Transportation – Local Freight Impact Fund grant application for the completion of the Heller Park Road Reconstruction Project

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Edison do hereby authorize the submission of such a grant application, for the said project, titled *LFIF-2018-Heller Park Road Reconstruction -00046*.

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor and Township Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

RESOLUTION R.713-122017

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by MRK Real Estate, LLC for the tax years 2013, 2014, 2015, 2016 and 2017

WHEREAS, MRK Real Estate, LLC (“Taxpayer”), the owner of properties located at 41 Runyons Lane , Block 55, Lot 11, on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years, 2013, 2014, 2015, 2016 and 2017 with the Tax Court of New Jersey under Docket Numbers 014851-2013, 013911-2014, 012346-2015, 010241-2016 AND 010197-2017 and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

As to Block: 55, Lot: 11 (41 Runyons Lane):

	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land	\$122,400.00	\$122,400.00	\$122,400.00
Improvements	<u>\$327,000.00</u>	<u>\$327,000.00</u>	<u>\$327,000.00</u>
Total	\$449,400.00	\$449,400.00	\$449,400.00
	<u>2016</u>	<u>2017</u>	
Land	\$122,400.00	\$122,400.00	
Improvements	<u>\$327,000.00</u>	<u>\$327,000.00</u>	
Total	\$449,400.00	\$449,400.00	

WHEREAS, the proposed settlement provides for an assessment of the 2013, 2014, 2015, 2016 and 2017 Tax Years as follows:

As to Block: 55, Lot: 11 (41 Runyons Lane):

	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land	\$122,400.00	\$122,400.00	\$122,400.00
Improvements	<u>\$227,600.00</u>	<u>\$227,600.00</u>	<u>\$227,600.00</u>
Total	\$350,000.00	\$350,000.00	\$350,000.00
	<u>2016</u>	<u>2017</u>	
Land	\$122,400.00	\$122,400.00	
Improvements	<u>\$ 227,600.00</u>	<u>\$227,600.00</u>	
Total	\$350,000.00	\$350,000.00	

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “Sitar Law Offices, L.L.C., Attorney Trust Fund” and the Taxpayer and forwarded to “William J. Sitar, Esq., Sitar Law Offices, L.L.C. , 1481 Oak Tree Road, Iselin, New Jersey 08830 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$4,747.34** for the 2013 Tax Year Appeal; **\$4,896.44** for the 2014 Tax Year Appeal; **\$ 5,043.56** for the 2015 Tax Year Appeal; **\$5,244.34** for the 2016 Tax Year Appeal; and **\$5,244.34** for the 2017 Tax Year Appeal.

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

1. For the 2013, 2014, 2015, 2016 and 2017 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

As to Block: 55, Lot: 11

	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land	\$122,400.00	\$122,400.00	\$122,400.00
Improvements	<u>\$227,600.00</u>	<u>\$227,600.00</u>	<u>\$227,600.00</u>
Total	\$350,000.00	\$350,000.00	\$350,000.00

	<u>2016</u>	<u>2017</u>
Land	\$122,400.00	\$122,400.00
Improvements	<u>\$ 227,600.00</u>	<u>\$227,600.00</u>
Total	\$350,000.00	\$350,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2013, 2014, 2015, 2016 and 2017 under Docket Numbers 014851-2013, 013911-2014, 012346-2015, 010241-2016 and 010197-2017 by the Taxpayer, owners of the property located at 41 Runyons Lane , Block 55, Lot 11.
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.714-122017

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Umesh Menon and Rajni Nair for the Tax Year 2017.

WHEREAS, Umesh Menon and Rajni Nair (“Taxpayers”), the owners of property located at 6 Frost Avenue West, Block 583, Lot 26, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2017 with the Tax Court of New Jersey under Docket Number 011714-2017; and

WHEREAS, the Taxpayers filed a Petition of Appeal for the 2017 tax year under Appeal Number 05-1700022 with the Middlesex County Board of Taxation; and

WHEREAS, the Middlesex County Tax Board issued a Memorandum of Judgment dated June 06, 2017 reducing the original assessment from \$318,100.00 to \$283,100.00; and

WHEREAS, the Taxpayers filed a Tax Appeal from the June 06, 2017 Memorandum of Judgment with the Tax Court of New Jersey under Docket Number 011714-2017 seeking a further reduction in their tax assessment; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the June 06, 2017 Memorandum of Judgment reduced the assessment as follows:

Land:	\$127,200.00
Improvements:	<u>\$155,900.00</u>
Total:	\$283,100.00

WHEREAS, the proposed settlement provides for an assessment of the 2017 Tax Year as follows:

Land:	\$127,200.00
Improvements:	<u>\$109,300.00</u>
Total:	\$236,500.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “Umesh Menon and Rajni Nair, 6 Frost Avenue West, Edison, New Jersey within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount **\$2,412.02**, for the 2017 Tax Year Appeal.

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

1. For the 2017 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

Land:	\$127,200.00
Improvements:	<u>\$109,300.00</u>
Total:	\$236,500.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the year 2017, Docket Number: 011714-2017 by the Taxpayer, owner of the property located at 6 Frost Avenue West, Edison, New Jersey Block 583, Lot 26; and
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.715-122017

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by Wick Shopping Plaza Associates, LLC for the tax years 2016 and 2017

WHEREAS, Wick Shopping Plaza Associates, LLC (“Taxpayer”), the owner of property located at 561 United States Route 1, Block 161.K, Lot 11, on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2016 and 2017 with the Tax Court of New Jersey under Docket Numbers 007153-2016 and 002625-2017 and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>As to Block: 161.K, Lot: 11 (561 United States Route 1):</u>	
	<u>2016</u>	<u>2017</u>
Land	\$ 7,113,000.00	\$ 7,113,000.00
Improvements	<u>\$13,947,100.00</u>	<u>\$13,947,100.00</u>
Total	\$21,060,100.00	\$21,060,100.00

WHEREAS, the proposed settlement provides for an assessment of the 2016 and 2017 Tax Years as follows:

	<u>As to Block: 161.K, Lot: 11 (561 United States Route 1):</u>	
	<u>2016</u>	<u>2017</u>
Land	\$ 7,113,000.00	\$ 7,113,000.00
Improvements	<u>\$ 9,387,000.00</u>	<u>\$ 9,387,000.00</u>
Total	\$16,500,000.00	\$16,500,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “Sitar Law Offices, L.L.C., Attorney Trust Fund” and the Taxpayer and forwarded to “William J. Sitar, Esq., Sitar Law Offices, L.L.C. , 1481 Oak Tree Road, Iselin, New Jersey 08830 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$240,590.88 for the 2016 Tax Year Appeal; and \$240,590.88 for the 2017 Tax Year Appeal.

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

1. For the 2016 and 2017 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>As to Block: 161.K, Lot: 11</u>	
	<u>2016</u>	<u>2017</u>
Improvements	<u>\$ 9,387,000.00</u>	<u>\$ 9,387,000.00</u>
Total	<u>\$16,500,000.00</u>	<u>\$16,500,000.00</u>

2. Interest is waived on the refund, provided such refund is provided as specified herein; and

The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative Land \$ 7,113,000.00 \$ 7,113,000.00

3. to the Property for Tax Appeals filed for the years 2016 and 2017, Docket Numbers 007153-2016 and 002625-2017 by the Taxpayer, owners of the properties located at 561 United States Route 1 , Block 161.K, Lot 11.
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.716-122017

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Sugar Tree Plaza Real Estate for the tax years 2013, 2014, 2015, 2016, and 2017.

WHEREAS, Sugar Tree Plaza Real Estate (“Taxpayer”), the owner of property located at 1692 Oak Tree Road, Block 546.NN, Lot 24, on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years, 2013, 2014, 2015, 2016 and 2017 with the Tax Court of New Jersey under Docket Numbers 006667-2013, 004487-2014, 002243-2015, 002636-2016, and 001593-2017.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land	<u>\$ 678,000</u>	<u>\$ 678,000</u>	<u>\$ 678,000</u>
Improvements	<u>\$1,544,700</u>	<u>\$1,544,700</u>	<u>\$1,544,700</u>
Total	<u>\$2,222,700</u>	<u>\$2,222,700</u>	<u>\$2,222,700</u>
	<u>2016</u>	<u>2017</u>	
Land	<u>\$ 678,000</u>	<u>\$ 678,000</u>	
Improvements	<u>\$1,544,700</u>	<u>\$1,544,700</u>	
Total	<u>\$2,222,700</u>	<u>\$2,222,700</u>	

WHEREAS, the proposed settlement for the 2013, 2014, 2015, 2016 and 2017 Tax Years provides as follows:

1. The 2013 and 2014 tax appeals will be withdrawn.
2. The 2015, 2016, and 2017 tax assessments will be as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land	\$ 678,000	\$ 678,000	\$ 678,000
Improvements	<u>\$1,249,600</u>	<u>\$1,124,800</u>	<u>\$ 972,200</u>
Total	\$1,927,600	\$1,802,800	\$1,650,200

3. The 2018 total tax assessment will be set at \$1,650,200.

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “Saiber L.L.C. Attorney Trust Fund” and the Taxpayer and forwarded to “Andrew S. Kessler, Esq., Saiber L.L.C., 18 Columbia Turnpike, Suite 200, Florham Park, New Jersey 07932 within sixty (60) days of the date of the entry of the judgments; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$14,354.00** for the 2015 Tax Year Appeal; **\$21,230.00** for the 2016 Tax Year Appeal; and **\$28,946.00** for the 2017 Tax Year Appeal.

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

1. For the 2015, 2016, and 2017 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land	\$ 678,000	\$ 678,000	\$ 678,000
Improvements	<u>\$1,249,600</u>	<u>\$1,124,800</u>	<u>\$ 972,200</u>
Total	\$1,927,600	\$1,802,800	\$1,650,200

2. The 2018 total tax assessment will be set at \$1,650,200.
3. Interest is waived on the refund, provided such refund is provided as specified herein; and
4. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2013, 2014, 2015, 2016, and 2017, Docket Numbers 006667-2013, 004487-2014, 002243-2015, 002636-2016, and 001593-2017 by the Taxpayer, owners of the property located at 1692 Oak Tree Road, Block 546.NN, Lot 24.
5. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
6. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUION R.717-122017

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Northfield Nem Assoc. LP, for the Tax Year 2016.

WHEREAS, Northfield Nem Assoc. LP, (“Taxpayer”), the owner of property located at 450 Raritan Center Parkway in the Township of Edison, County of Middlesex, and known as Block 395, Lot 28 on the Township of Edison’s Tax Assessment Maps (“Property”), filed A Tax Appeal for the year 2016 with the Tax Court of New Jersey under Docket Number 002766-2016; and

WHEREAS, the Township Council for the Township of Edison previously approved a settlement reducing the assessment for the 2014 and 2015 Tax Years under R-672-102015; and

WHEREAS, the previous Resolution did not include language that the 2016 assessment would reflect the value of \$2,500,000.00 as indicated in the executed Stipulation of Settlement; and

WHEREAS, the value for the 2016 tax year was not changed prior to the filing of the Assessment book with the County of Middlesex; and

WHEREAS, another Judgment must be issued in accordance with the executed Stipulation of Settlement which included the 2016 tax year; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2016</u>
Land	\$ 844,000.00
Improvements	\$2,929,500.00
Total	\$3,772,500.00

WHEREAS, the proposed settlement provides for an assessment of the 2016 Tax Years as follows:

	<u>2016</u>
Land	\$ 844,000.00
Improvements	\$1,656,000.00
Total	\$2,500,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the "Zipp Tannenbaum and Caccavelli, LLC Attorney Trust Fund" and the Taxpayer and forwarded to "Peter J. Zipp, Esq., Zipp Tannenbaum and Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer's request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount **\$67,137.10** for the 2016 Tax Year Appeal.

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

1. For the 2016 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2016</u>
Land:	\$ 844,000.00
Improvements:	\$1,656,000.00
Total:	\$2,500,000.00

6. Interest is waived on the refund, provided such refund is provided as specified herein; and
7. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the year 2016, Docket Number 002766-2016 by the Taxpayer, owner of the property located at 450 Raritan Center Parkway , Block 395, Lot 28; and
8. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
9. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.718-122017

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Thomas J. Swales, III for the Tax Year 2016.

WHEREAS, Thomas J. Swales, III (“Taxpayer”), the owner of property located at 258 Plainfield Avenue in the Township of Edison, County of Middlesex, and known as Block 160.C, Lot 12 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2016 with the Tax Court of New Jersey under Docket Number 009514-2016; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2016</u>
Land	\$370,000.00
Improvements	<u>\$141,800.00</u>
Total	\$511,800.00

WHEREAS, the proposed settlement provides for an assessment of the 2016 Tax Year as follows:

	<u>2016</u>
Land	\$270,000.00
Improvements	<u>\$141,800.00</u>
Total	\$411,800.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Michael I. Schneck, Esq. Attorney for Swales, Thomas J. III” and the Taxpayer and forwarded to “Michael I. Schneck, Esq., Schneck Law Group, LLC, 301 South Livingston Avenue, Suite 105, Livingston, New Jersey 07039” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$5,276.00 for the 2016 Tax Year Appeal.

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

- For the 2016 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2016</u>
Land	\$270,000.00
Improvements	<u>\$141,800.00</u>
Total	\$411,800.00

- Interest is waived on the refund, provided such refund is provided as specified herein; and
- The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the year 2016, Docket Numbers 009514-2016 by the Taxpayer, owner of the property located at 258 Plainfield Avenue , Block 160.C, Lot 12;
- The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
- The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.719-122017

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Edison EZ Quick Property, LLC for the Tax Year 2017.

WHEREAS, Edison EZ Quick Property LLC (“Taxpayer”), the owner of property located at 2279 Woodbridge Avenue in the Township of Edison, County of Middlesex, and known as Block 265.L, Lot 26 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Petition of Appeal for the year 2017 with the Middlesex County Board of Taxation; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid Petition of Appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its Petition of Appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2017</u>
Land	\$180,000.00
Improvements	<u>\$119,000.00</u>
Total	\$299,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2018 Tax Year as follows:

Land	\$180,000.00
Improvements	<u>\$ 20,000.00</u>
Total	\$200,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudice; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

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

1. For the 2018 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

Land	\$180,000.00
Improvements	<u>\$ 20,000.00</u>
Total	\$200,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Form of the Letter Agreement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction

RESOLUTION R.720-122017

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by Atul and Bhavana Shah for the tax years 2016 and 2017

WHEREAS, Atul and Bhavana Shah (“Taxpayer”), the owner of properties located at 19 Sherman Boulevard, Block 553, Lot 41, on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2016 and 2017 with the Tax Court of New Jersey under Docket Numbers 010238-2016 and 010200-2017 and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>As to Block: 553, Lot: 41 (19 Sherman Boulevard):</u>	
	<u>2016</u>	<u>2017</u>
Land	\$109,400.00	\$109,400.00
Improvements	<u>\$650,300.00</u>	<u>\$650,300.00</u>
Total	\$759,700.00	\$759,700.00

WHEREAS, the proposed settlement provides for an assessment of the 2013, 2014, 2015, 2016 and 2017 Tax Years as follows:

	<u>As to Block: 553, Lot: 41 (19 Sherman Boulevard):</u>	
	<u>2016</u>	<u>2017</u>
Land	\$109,400.00	\$109,400.00
Improvements	<u>\$540,600.00</u>	<u>\$540,600.00</u>
Total	\$650,000.00	\$650,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to "Sitar Law Offices, L.L.C., Attorney Trust Fund" and the Taxpayer and forwarded to "William J. Sitar, Esq., Sitar Law Offices, L.L.C., 1481 Oak Tree Road, Iselin, New Jersey 08830 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer's request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$5,546.43 for the 2016 Tax Year Appeal; and \$5,546.43 for the 2017 Tax Year Appeal.

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

1. For the 2016 and 2017 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>As to Block: 553, Lot: 41</u>	
	<u>2016</u>	<u>2017</u>
Land	\$109,400.00	\$109,400.00
Improvements	<u>\$540,600.00</u>	<u>\$540,600.00</u>
Total	\$650,000.00	\$650,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2016 and 2017, Docket Numbers 010238-2016 and 010200-2017 by the Taxpayer, owners of the properties located at 19 Sherman Boulevard, Block 553, Lot 41.
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.721-122017

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by 1501 New Jersey State Highway 1, LLC by Raceway Realty, LLC for the 2012 tax year and by Raceway Realty, LLC for the 2013, 2014, 2015, 2016 and 2017 tax years.

WHEREAS, 1501 New Jersey State Highway 1, LLC by Raceway Realty, LLC ("Taxpayer"), the owner of property located at 1501 United States Route 1, Block 691.B, Lot 5.M, on the Township of Edison's Tax Assessment Maps ("Property"), filed a Tax Appeal for the 2012 tax year with the Tax Court of New Jersey under

Docket Number 015135-2012, and Raceway Realty, LLC (“Taxpayer”), the owner of property located at 1501 United States Route 1 , Block 691.B, Lot 5.M, on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years, 2013, 2014, 2015, 2016 and 2017 with the Tax Court of New Jersey under Docket Numbers 015465-2013, 014165-2014, 010923-2015, 009531-2016 and 012965-2017; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid Tax Appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed for 2012 through 2017 as follows:

Land:	\$382,600.00
Improvements:	\$ 67,400.00
Total:	\$450,000.00

WHEREAS, the proposed settlement provides for an affirmance of the original assessment for the 2012, 2013, and 2014 Tax Years and for an assessment of the 2015, 2016 and 2017 Tax Years as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$382,600.00	\$307,600.00	\$282,600.00
Improvements:	<u>\$ 17,400.00</u>	<u>\$ 67,400.00</u>	<u>\$ 67,400.00</u>
Total:	\$400,000.00	\$375,000.00	\$350,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “Zipp Tannenbaum & Caccavelli, Attorney Trust Fund” and the Taxpayer and forwarded to “Peter J. Zipp, Esq., Zipp Tannenbaum & Caccavelli, L.L.C. , 280 Raritan Center Parkway, Edison, New Jersey 08837 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$2,537.00** for the 2015 Tax Year Appeal; **\$3,957.00** for the 2016 Tax Year Appeal; and **\$5,376.00** for the 2017 Tax Year Appeal.

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

1. For the 2015, 2016 and 2017 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$382,600.00	\$307,600.00	\$282,600.00
Improvements:	<u>\$ 17,400.00</u>	<u>\$ 67,400.00</u>	<u>\$ 67,400.00</u>
Total	\$400,000.00	\$375,000.00	\$350,000.00

The original assessments for the 2012, 2013, and 2014 Tax Year Appeals will be affirmed.

The 2018 Assessment will be established at \$650,000.00 at the applicable ratio.

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2012, 2013, 2014, 2015, 2016 and 2017, Docket Numbers 015135-2012, 015465-2013, 014165-2014, 010923-2015, 009531-2016 and 012065-2017 by the Taxpayer, owners of the Property located at 1501 United States Route 1, Block 691.B, Lot 5.M.
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and

5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.722-122017

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Fieldcrest JH Assoc. for the Tax Year 2016.

WHEREAS, Fieldcrest JH Assoc. (“Taxpayer”), the owner of property located at 160 Fieldcrest Avenue in the Township of Edison, County of Middlesex, and known as Block 390.D, Lot 8.C on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2016 with the Tax Court of New Jersey under Docket Number 002773-2016; and

WHEREAS, the Township Council for the Township of Edison previously approved a settlement reducing the assessment for the 2014 and 2015 Tax Years under R-670-102015; and

WHEREAS, the previous Resolution did not include language that the 2016 assessment would reflect the value of \$2,200,000.00 as indicated in the executed Stipulation of Settlement; and

WHEREAS, the value for the 2016 tax year was not changed prior to the filing of the Assessment book with the County of Middlesex; and

WHEREAS, another Judgment must be issued in accordance with the executed Stipulation of Settlement which include the 2016 tax year; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2016</u>
Land	\$ 748,800.00
Improvements	<u>\$2,213,000.00</u>
Total	\$2,962,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2016 Tax Years as follows:

Land	\$ 748,800.00
Improvements	<u>\$1,451,200.00</u>
Total	\$2,200,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Zipp Tannenbaum and Caccavelli, LLC Attorney Trust Fund” and the Taxpayer and forwarded to “Peter J. Zipp, Esq., Zipp Tannenbaum and Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount **\$40,203.12** for the 2016 Tax Year Appeal.

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

1. For the 2016 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	2016
Land	\$ 748,800.00
Improvements	<u>\$1,451,200.00</u>
Total	\$2,200,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the year 2016, Docket Number 002773-2016 by the Taxpayer, owner of the property located at 160 Fieldcrest Avenue , Block 390.D, Lot 8.C;
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION 723-122017

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year, and

WHEREAS, the date of this resolution is subsequent to that date, and

WHEREAS, principal and interest will be due on various dates from January 1, 2018 to December 31 2018, inclusive, on sundry bonds & Notes issued and outstanding,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that the following appropriations be made to cover the period from January 1, 2018 to December 31, 2018 inclusive:

	2018
DEBT SERVICE - CURRENT FUND	
Bond Principal	5,118,218.71
Bond Interest	1,459,129.83
Bond Anticipation Note Interest	661,479.72
Bond Anticipation Note Principal	1,310,000.00
Special Emergency Note Interest	3,590.00
Special Emergency Note Principal	180,000.00
NJ Environmental Infrastructure Trust	217,227.95
Tax Appeal Bond Principal	2,030,000.00
Tax Appeal Bond Interest	<u>141,618.02</u>
Total	11,121,264.23
DEBT SERVICE - SEWER UTILITY FUND	
Bond Principal	257,329.63
Bond Interest	175,894.33
Bond Anticipation Principal	105,000.00
Bond Anticipation Note Interest	<u>151,577.78</u>
Total	689,801.74
DEBT SERVICE - WATER UTILITY FUND	
Bond Principal	
Bond Interest	59,938.72
Total	<u>29,377.47</u>
	89,316.19
DEBT SERVICE - MUNICIPAL OPEN SPACE FUND	
Bond Principal	404,512.94

Bond Interest	86,159.52
Green Trust Loan	<u>192,077.03</u>
Total	682,749.48
TOTAL	12,583,131.65

RESOLUTION R.724-122017

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
INSIA SALEH FOR THE ABC PROGRAM**

WHEREAS Insia Saleh made payment in the amount of \$180.00 for her child Quresh Saleh’s participation in the ABC Program at James Madison Primary Elementary School for the month of December 2017; and

WHEREAS the parent’s bank sent a check for the month of December even though the child was already removed from the program.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$180.00 to Insia Saleh, 804 Maplecrest Rd., Edison, NJ 08820, which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$180.00 are available in Account #7-01-55-0291-000-000.

RESOLUTION R.725-122017

Explanation: Authorizing a non-refundable grant of \$183.34 from the Township’s Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market sale unit to an *affordable* housing unit.

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

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

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

WHEREAS, the Unit is now subject to a reduction in property taxes based on the affordable assessed value that is lower than the current “market rate” assessed value of the property located at 5 Holly Place for the 2017 tax year; and

WHEREAS, the Buyer is entitled to a non-refundable grant of \$183.34 to be paid from the Township’s Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyer; and

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

WHEREAS, the Township Council desires to award these funds to provide assistance in the tax differential of an *affordable* unit at 5 Holly Place in the amount of \$183.34 for the purpose and under the terms set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Daniel and Colleen Horniacek, the Buyers, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a non-refundable grant in the amount of \$183.34 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to Edison Township's Tax Collector for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Daniel and Colleen Horniacek, 5 Holly Place with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.726-122017

EXPLANATION: Releasing Cash performance to J.T. Magen & Company who posted Bond for HSBC Bank 44 West 28th Street, New York, NY 10001 #7760013316

WHEREAS, the Township Engineer advises that an inspection was made on the above subject located in Block #1120 Lot: 62.A

WHEREAS, the Division of Engineering Services recommends the release of the Cash Performance, in the amount of \$20,005.74, in account 7760013316 J.T Magen & Company. who posted bond for HSBC Bank on Parsonage Road.

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the aforementioned improvements are hereby complete and satisfactory and the Chief Financial Officer is hereby authorized to release the aforesaid Cash Performance; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the Cash Performance in the amount of \$20,005.74 on deposit in account #7760013316 to the applicant JT. Magen and company who posted bond having an address of 44 West 28th Street, New York , NY 10001

RESOLUTION R.727-122017

WHEREAS, the Division of Engineering Services advises that an inspection has been made of HSBC Bank at Route 27 & Parsonage Road , Application #P24-05/06 located in Block #673 Lot # 5.J; and

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

WHEREAS, on May 30, 2007, J.T. Magen & Company Inc., posted a check in the amount of \$8,335.73, for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$7,351.43; and

WHEREAS, it is in now in order that the sum of \$984.30 which represents the amount due and owing the applicant, be returned to SRGI, LLC. ; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the sum of \$984.30 plus interest be refunded to J.T Magen having offices at 44 West 28th Street, New York , NY 10001; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$984.30 plus interest in account # 7760216750 to the applicant.

RESOLUTION R.728-122017

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by ELRAC LLC. for a project located at 1550 Route 23, North , Wayne , N.J. 07470 in Block 1120, Lot 62.A and was a site plan Application Z18-2013 for 2120-2144 Lincoln Highway ; and

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

WHEREAS; on May 29, 2013 , ELRAC LLC. posted fees on deposit with the Township of Edison in the account # 7760296234 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$ 1,061.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to ELRAC LLC.; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the sum of \$1,061.00.00 plus accrued interest, if applicable be refunded to ELRAC LLC., 1550 Route 23, North , Wayne , N.J. 07470

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 1,061.00 plus accrued interest, if applicable, in account # 7760296234 to the applicant.

RESOLUTION R.729-122017

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

WHEREAS, The Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that successful tax appeal judgments from the Tax Court of New Jersey has been received for the cases listed attached.

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed values of the properties has been reduced as indicated for each of the listed tax years, including Freeze Act Year(s) as per provisions of N.J.S.A. 54:51A-8 (Freeze Act).

WHEREAS, the reduction in assessed value has caused real estate tax overpayment, and the Tax Collector advises that the tax payers are entitled to refunds as provided in attached listing; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the 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 Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the noted property owner or legal representative in the amounts specified on the attached listing totaling **\$10,068.44**.

RESOLUTION R.730-122017

Authorizing a tax exemption/refund for a disabled veteran for 8 HARMON RD

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, **CHESTER SHANNON** is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to **11/3/2017**; and

WHEREAS, real estate taxes on this property known as Block **1208** Lot **4**, **8 HARMON RD**, have been billed for **2017** and preliminary **2018**; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may by resolution cancel taxes due on a property which would have been exempt had the claim been made at the time they were due.

WHEREAS, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor.

WHEREAS, pursuant to Township Code Section 5-7(d) the applicant is also due a refund of property taxes

paid in prior year(s) from **11/3/17** to **12/31/17**; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on **1208 Lot 4**, assessed to **CHESTER SHANNON**, be cancelled for the **1st and 2nd** quarters of **2018** and also refunded for the municipal property taxes already paid for the time period of from **11/3/17** thru **12/31/17** in the amount of **\$1,771.35**; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of **CHESTER SHANNON** for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$1,771.35**.

RESOLUTION R.731-122017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the *Amazon Corporation* has grant funds available, through its FY18 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of **\$10,000.00** from the *Amazon Corporation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *Amazon Corporation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the *Amazon Corporation* as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

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, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, December 20, 2017.

RESOLUTION R.732-122017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the *Santander Bank Foundation* has grant funds available, through its FY18 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Santander Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of **\$3,000.00** from the *Santander Bank Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *Santander Bank Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Santander Bank Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, December 20, 2017.

RESOLUTION R.733-122017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the *Geraldine R. Dodge Foundation* has grant funds available, through its FY18 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of **\$25,000.00** from the *Geraldine R. Dodge Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities, especially in regard to Youth Arts Education, which is a priority focus of the *Geraldine R. Dodge Foundation*; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *Geraldine R. Dodge Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the *Geraldine R. Dodge Foundation* as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

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, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, December 20, 2017.

RESOLUTION R.734-122017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the *FedEx Foundation* has grant funds available, through its FY18 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of **\$5,000.00** from the *FedEx Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *FedEx Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the FedEx Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

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, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, December 20, 2017.

RESOLUTION R.735-122017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the *FedEx Foundation* has grant funds available, through its FY18 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of **\$5,000.00** from the *FedEx Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *FedEx Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the FedEx Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

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, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, December 20, 2017.

RESOLUTION R.736-122017

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, H-Mart has grant funds available, through its FY18 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities *H-Mart* serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of **\$10,000.00** from *H-Mart*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for corporate grant funding from *H-Mart*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by *H-Mart* as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

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, at a regularly-scheduled, combined Work Session and Public Meeting on the evening of Wednesday, December 20, 2017.

RESOLUTION R.737-122017

WHEREAS, The Edison Department of Health and Human Services (EDHHS) established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Investors Bank Foundation has grant funds available, through its FY18 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$5,000.00 from the Investors Bank Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for or receive grant funding from the Investors Bank Foundation; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Investors Bank Foundation as described in its application for said funds and in compliance with all applicable Investors Bank Foundation, Municipal, Middlesex County, New Jersey and United States requirements, guidelines, regulations and statutes; and

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, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, December 20, 2017.

RESOLUTION R.738-122017

FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township of Edison Council, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township of Edison Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township of Edison Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Edison Council, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Township of Edison Council does hereby authorize submission of a strategic plan for the Edison Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$85,447.00
Cash Match	\$21,361.75
In-Kind	\$64,085.25
2. The Township of Edison Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Thomas Lankey, Mayor

CERTIFICATION

I, Cheryl Russomano, Municipal Clerk of the Township of Edison, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Edison Council on this 20 day of December, 2017.

Cheryl Russomanno, Municipal Clerk

RESOLUTION R.739-122017

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO CLEARLY, GIACOBBE, ALFIERI, JACOBS LLC FOR SPECIAL LABOR COUNSEL SERVICES TO THE TOWNSHIP FOR THE YEAR 2018

WHEREAS, the Township is in need of Special Labor Counsel Services; and

WHEREAS, the Township recommends **CLEARY, GIACOBBE, ALFIERI, JACOBS LLC**, 169 Ramapo Valley Road, Oakland, NJ 07436 for the position of Special Labor Counsel for 2018 in an amount not to exceed \$75,000.00; and

WHEREAS, such services are professional services which, pursuant to N.J.S.A. 40A:11-5, may be awarded without competitive bidding; and

WHEREAS, this Contract is not awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS, prior to the execution of a contract, **CLEARY, GIACOBBE, ALFIERI, JACOBS LLC**, will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee of the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in Counsel from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS, funds in the amount of \$75,000.00 have been certified to be available in the Legal Department Legal Services Account Number 8-01-20-0155-001-027 subject to and contingent upon appropriation of sufficient funds in the 2018 temporary and/or permanent budget; and

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

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

1. The Township is hereby authorized to execute contracts and any other necessary documents, with **CLEARY, GIACOBBE, ALFIERI, JACOBS LLC**, 169 Ramapo Valley Road, Oakland, NJ 07436, in the amount not to exceed \$75,000.00.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.
5. The Township may, upon ten (10) days written notice, and without cause, terminate the Contract.
6. Counsel shall notify the Township Attorney when eighty (80%) of the “Not to Exceed” amount is attained.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$75,000.00** are available in Account No. **8-01-20-0155-001-027** subject to and contingent upon appropriation of sufficient funds in the 2018 temporary and/or permanent budget.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.740-120017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DITTO COPY SYSTEMS FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on November 30, 2017 for Public Bid No. 17-02-10RR, Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$40,000.00, 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 DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00 any other necessary documents, with DITTO COPY SYSTEMS as described herein.

RESOLUTION R.741-122017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO RAHWAY BUSINESS MACHINES FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on November 30, 2017 for Public Bid No. 17-02-10RR, Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, RAHWAY BUSINESS MACHINES, 98 Route 27, Rahway, NJ 07065, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$7,000.00, 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 RAHWAY BUSINESS MACHINES, 98 Route 27, Rahway, NJ 07065 for Maintenance and Repair of Office Equipment for the Township of Edison is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$7,000.00 any other necessary documents, with RAHWAY BUSINESS MACHINES as described herein.

RESOLUTION R. 742-122017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT, LLC MICROSOFT SQL SERVER ENTERPRISE CORE EDITION-LICENSE AND SOFTWARE UPGRADES FOR THE TOWNSHIP

WHEREAS, there is a need for license and software upgrades for the Township; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 has been awarded State Contract Number 89849 under M-0003/Software License and Related 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, funds in the amount of \$26,945.14 have been certified to be available in the Construction Enforcement Agency Computer Hardware & Software Account, Number 7-01-22-0195-000-059; 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 \$26,945.14 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 89849 under M-0003.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$26,945.14** are available for the above in Account No. **7-01-22-0195-000-059**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.743-122017

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE MAINTENANCE AND SUPPORT OF THE AVAYA PHONE SYSTEM FROM JOHNSTON COMMUNICATIONS THROUGH THE UNION COUNTY COOPERATIVE PRICING SYSTEM – STATE COOP. #8UCCP FOR THE YEAR 2018

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 Union 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, the Township of Edison is a member of the UNION COUNTY COOPERATIVE PRICING SYSTEM #8UCCP; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services; and

WHEREAS, the total amount of this contract, not to exceed \$24,363.00; 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, funds in the amount of \$24,363.00 have been certified to be available in the Public Buildings Telephone Account, Number 7-01-31-0440-000-076; 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 \$24,363.00 and any other necessary documents, with JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032, 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. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$24,363.00** are available for the above in Account No. **8-01-31-0440-000-076**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.744-122017

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES FOR THE YEAR 2018

WHEREAS, the Township of Edison has a need to renew the professional risk management consulting services as required in the bylaws of the Central Jersey Joint Insurance Fund for January 1, 2018 –December 31, 2018, and pursuant to N.J.S.A. 40A:10-36; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to 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 could exceed \$17,500.00; and

WHEREAS, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095, has submitted a proposal to provide such services for an amount not to exceed six percent (6.00%) of Edison Township’s annual assessment as promulgated by the Fund not to exceed \$237,000.00; and

WHEREAS, prior to entering into a contract, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, 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 ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS from making any reportable contributions through the term of the 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:

7. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$237,000.00 and any other necessary documents with ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095 for professional risk management consulting services as described herein.
8. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
9. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
10. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.745-122017

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO BEYER FORD THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF TWO (2) 2018 FORD EXPLORERS AND FIVE (5) 2018 FORD ESCAPES FOR THE DIVISION OF CODE ENFORCEMENT

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

WHEREAS, BEYER FORD, 31 Williams Parkway, East Hanover, NJ 07936 has been awarded Contract ESCNJ 17/18-21: Trucks - Pick Ups, Vans and Sport Utility Vehicles through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with BEYER FORD for the purchase of two (2) 2018 Ford Explorers and five (5) 2018 Ford Escapes; and

WHEREAS, funds in the amount of \$175,819.91 (\$29,104.83 per Explorer and \$23,522.05 per Escape) have been certified to be available in the Construction Enforcement Agency Purchase of Vehicle Account, number 7-01-22-0195-000-051; 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 authorize BEYER FORD, 31 Williams Parkway, East Hanover, NJ 07936 the approved Educational Services Commission of New Jersey Cooperative Pricing System

vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.

- 2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$175,819.91** have been certified to be available in account number 7-01-22-0195-000-051.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.747-122017

EXPLANATION: This resolution authorizes contract Change Order # 2 in an amount of +\$1,490.00 for Contract #17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue, for a revised construction contract ceiling of \$72,057.00.

WHEREAS, T. Galante Construction Inc., 1133 Hwy 35 S., Lawrence Harbor, NJ 08879 was awarded a construction contract through resolution R.306-052017 in a contract amount not to exceed \$66,247.00 for Contract # 17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue; and

WHEREAS, a contract Change Order # 1 for architectural services in an amount of \$4,320.00 had been previously reviewed and accepted by council in resulting in a revised construction contract amount not to exceed \$70,567.00 under resolution R.533-092017; and

WHEREAS, a contract Change Order # 2 for additional work due to unforeseen conditions in an amount of \$1,490.00 has been reviewed by the Township Engineer and has been found to be necessary, and upon tabulation and review of the quantities a change order is recommended for authorization and approval in the net additional amount of \$1,490.00 resulting in a revised construction contract amount not to exceed \$72,057.00; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that contract Change Order # 2 in a net amount not to exceed \$1,490.00 shall be authorized and approved for the project, Contract # 17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue, to T. Galante Construction, Inc. for a revised construction contract amount of \$72,057.00.

CFO CERTIFICATION OF FUNDS:

Funding is available for Change Order # 2 17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue, under Account C-04-14-1872-310-001 in a net change order amount not to exceed \$1,490.00 for a revised construction contract in an amount not to exceed \$72,057.00.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.748-122017

EXPLANATION: This resolution authorizes contract Change Order # 2 in an amount of +\$1,490.00 for Contract #17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue, for a revised construction contract ceiling of \$72,057.00.

WHEREAS, T. Galante Construction Inc., 1133 Hwy 35 S., Lawrence Harbor, NJ 08879 was awarded a construction contract through resolution R.306-052017 in a contract amount not to exceed \$66,247.00 for Contract # 17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue; and

WHEREAS, a contract Change Order # 1 for architectural services in an amount of \$4,320.00 had been previously reviewed and accepted by council in resulting in a revised construction contract amount not to exceed \$70,567.00 under resolution R.533-092017; and

WHEREAS, a contract Change Order # 2 for additional work due to unforeseen conditions in an amount of \$1,490.00 has been reviewed by the Township Engineer and has been found to be necessary, and upon tabulation and review of the quantities a change order is recommended for authorization and approval in the net additional amount of \$1,490.00 resulting in a revised construction contract amount not to exceed \$72,057.00; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that contract Change Order # 2 in a net amount not to exceed \$1,490.00 shall be

authorized and approved for the project, Contract # 17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue, to T. Galante Construction, Inc. for a revised construction contract amount of \$72,057.00.

CFO CERTIFICATION OF FUNDS:

Funding is available for Change Order # 2 17-23-01: Interior Renovation at Firehouse #3 – 849 Amboy Avenue, under Account C-04-14-1872-310-001 in a net change order amount not to exceed \$1,490.00 for a revised construction contract in an amount not to exceed \$72,057.00.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.749-122017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO STORR TRACTOR COMPANY FOR THE FURNISHING OF PARTS AND REPAIRS FOR LAWN AND GROUNDS EQUIPMENT FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for parts and repairs for lawn and grounds equipment for the Township of Edison; and

WHEREAS, STORR TRACTOR COMPANY, 3191 US Highway 22, Branchburg NJ 08876 has been awarded State Contract Number A43038 under T-2187 PARTS AND REPAIRS FOR LAWN AND GROUNDS EQUIPMENT; 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 STORR TRACTOR COMPANY, 3191 US Highway 22, Branchburg NJ 08876 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. A43038 under T-2187.

RESOLUTION R.750-122017

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO HUNTER JERSEY PETERBILT FOR ENGINE REPAIRS TO G-40 FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, The Department of Public Works- Division of Sanitation is in need of engine repairs to G-40; and

WHEREAS, quotes were received by the Township of Edison; and

WHEREAS, HUNTER JERSEY PETERBILT, P.O. Box 729, Clarksburg, NJ 08510, submitted the lowest quote in the amount of \$26,074.36;

WHEREAS, funds in the amount of \$26,074.36 have been certified to be available in the Sanitation Operating-Equipment Maintenance Account, No. 7-09-55-0800-001-216; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

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

WHEREAS, prior to entering into a contract HUNTER JERSEY PETERBILT, 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 HUNTER JERSEY PETERBILT from making any reportable contributions through the term of the 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:

3. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$26,074.36, and any other documents with HUNTER JERSEY PETERBILT, P.O. Box 729, Clarksburg, NJ 08510 in accordance with the proposal.
4. This contract/purchase order is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
5. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
6. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$26,074.36** are available for the above contract in Account No. **7-09-55-0800-001-216**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.753-122017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO EAST COAST EMERGENCY LIGHTING TO OUTFIT A NEW VEHICLE FOR THE DIVISION OF FIRE

WHEREAS, there is a need to outfit one new 2017 Division of Fire Ford Explorer; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., 200 Meco Drive, Millstone Twp, NJ 08535, has been awarded various state contracts for emergency products and installation thereof under State Contract T-0106/POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES and under this state contract the Township shall purchase as follows; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81327 - ProGard Products - in the amount not to exceed \$270.75; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81336 - Whelen Products - in the amount not to exceed \$3,147.18; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81338 – Installation - in the amount not to exceed \$1,875.00; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., submitted the quote for HAVIS brand in the amount not to exceed of \$415.96; 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, funds in the amount of \$5,708.89 have been certified to be available in the Fire Prevention Motor Vehicle Parts and Accessories Account, number 7-01-25-0265-002-034; 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:

7. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,708.89 and any other necessary documents, with EAST COAST EMERGENCY LIGHTING, INC., 100 Meco Drive, Millstone, NJ 08535, as described herein.
8. 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 Contracts, No. 81327, 81336, and 81338 under T-0106.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$5,708.89 are available in account number 7-01-25-0265-002-034.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.754-122017

RESOLUTION AUTHORIZING A CONTRACT/PURCHASE ORDER WITH AFTER DISASTER HOUSING CORP. FOR THE RENTAL OF A MOBILE HOME FOR THE DIVISION OF FIRE- STATION 3

WHEREAS; the Township Fire Department has the need for the rental of a Mobile Home for Station 3 while repairs are being made; and

WHEREAS; AFTER DISASTER HOUSING CORP., 640 West Commodore Blvd., Jackson, NJ 08527, had submitted a quote to provide said rental for a price not to exceed \$1,822.50 per month for the year 2017; and

WHEREAS, the total amount for the year 2017 shall be \$21,870.00; and

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

WHEREAS, funds in the amount of \$21,870.00 have been certified to be available in the Firefighting Maintenance of Motor Vehicle Account, No. 7-01-25-0265-001-025; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

WHEREAS, the Township shall have AFTER DISASTER HOUSING CORP. complete 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 AFTER DISASTER HOUSING CORP. from making any reportable contributions through the term of the 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 \$21,870.00 and any other documents with AFTER DISASTER HOUSING CORP., 640 West Commodore Blvd., Jackson, NJ 08527 in accordance with the proposal.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$21,870.00** are available for the above contract in Account No. **7-01-25-0265-001-025**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.755-122017

RESOLUTION AWARDDING CONTRACT/PURCHASE ORDER TO HERTRICH FLEET SERVICES FOR THE PURCHASE OF THREE (3) 2018 FORD FUSION SEDANS FOR THE DIVISION OF POLICE

WHEREAS, there is a need to purchase three (3) 2018 Ford Fusion Sedans for the Division of Police; and

WHEREAS, HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963, has been awarded State Contract Number 86922 for the 2017 Ford Fusion Sedans under T-0099/Vehicles, Automobiles, Sedan/Crossover; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with HERTRICH FLEET for the purchase of three (3) 2018 Ford Fusion Sedans at a price of \$17,400.00 each for a total of \$52,200.00; and

WHEREAS, funds in the amount of \$52,200.00 have been certified to be available in the Police Department – Purchase of Vehicles Account, Number 7-01-25-0240-000-051; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$52,200.00, and any other necessary documents, with HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 86922 under T-0099.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$52,200.00** are available for the above in Account No. **7-01-25-0240-000-051**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.756-122017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EAGLE POINT/T.J. MORRIS & SONS FOR THE FURNISHING OF AMMUNITION FOR THE DIVISION OF POLICE

WHEREAS, there is a need to purchase ammunition for the Division of Police; and

WHEREAS, EAGLE POINT/T.J. MORRIS & SONS, 1707 Third Street, Thorofare, NJ 08086, has been awarded State Contract Number 81296 under T-0106A/Police and Homeland Security Equipment and Supplies; and

WHEREAS, funds in the amount of \$21,737.09 have been certified to be available in the Police Department Materials and Supplies Account, Number 7-01-25-0240-000-030; 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.

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 \$21,737.09 and any other necessary documents, with EAGLE POINT/T.J. MORRIS & SONS, 1707 Third Street, Thorofare, NJ 08086 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. 81296 under T-0106A.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$21,737.09** are available for the above contract in Account No. **7-01-25-0240-000-030**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.758-122017

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Utility Engineering and Construction Agreement with the State of New Jersey Department of Transportation, with respect to work required to be performed on the northbound lane of Route 1 in the Township of Edison.

WHEREAS, the State of New Jersey Department of Transportation (the “**NJDOT**”), is required to perform work in the northbound lane of Route 1 (the “**Project**”), in the Township of Edison (“**Township**”), in order to bring

the State into compliance with current design requirements mandated under the federal Americans with Disabilities Act (“ADA”); and

WHEREAS, the work may require the protection, relocation and/or adjustment of certain facilities of the Township’s existing sewer system; and

WHEREAS, NJDOT will be responsible for the cost of relocating any public utility and cable television facilities to accommodate the work; and

WHEREAS, while the Township has some obligation for certain design and other work responsibilities as specifically set forth in the Agreement, the NJDOT will reimburse the Township for such costs; and

WHEREAS, the Township and NJDOT desire to enter a Utility Engineering and Construction Agreement (the “**Agreement**”) to establish the terms pursuant to which the NJDOT shall undertake construction on the Project, and related matters; and

WHEREAS, the Agreement attached hereto between the Township and NJDOT has been reviewed and approved by the Township Attorney, the Township Engineer and NJDOT.

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, or his authorized designee, 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 or his authorized designee, 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.
1. 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.
2. This Resolution shall take effect immediately.

RESOLUTION R.759-122017

EXPLANATION: This Resolution authorizes the Township Council, to accept on behalf of the Township of Edison, the donation of roadway improvements to King Georges Post Road and Clover Place, and the donation of traffic camera and controls at the intersections of Raritan Center Parkway and Fieldcrest Avenue and Raritan Center Parkway and Mayfield Avenue, from Federal Business Centers, Inc. and Garden State Buildings LP, and authorize the execution of three (3) Noncash Charitable Contribution Forms 8283.

WHEREAS, Federal Business Centers, Inc. (“FBC”), with an address of 300 Raritan Center Parkway, Edison, New Jersey 08837, and Garden State Buildings LP (“GSB”), with an address of 110 Fieldcrest Avenue, Edison, New Jersey 08837, have together donated certain roadway improvements the Township of Edison (the “Township”), being:

1. King Georges Post Road in the Township
Milling to remove +/- 2" of asphalt roadway surface, applying tack coat, and repaving between the intersection of King Georges Post Road at Raritan Center Parkway alongside Block 390A. This project was undertaken in conjunction with the Township who provided traffic control and materials. FBC managed the various aspects of this cooperative effort. The contractor for this project was Lucas Brothers, Inc.
2. Clover Place in the Township:
Milling to remove +/- 2" of asphalt roadway surface, applying tack coat, and repaving on Clover Place, approximately alongside Block 390CC, extending from the intersection with Raritan Center Parkway, southward to a dead-end cul-de-sac. This project was undertaken in conjunction with Township who provided traffic control and asphalt. GSB managed the various aspects of this cooperative effort. The contractor for this project was V. A. Spatz & Sons.
3. Traffic Cameras and Control in the Township:
Project of new traffic control cameras located on traffic islands at intersections of Fieldcrest Avenue and Raritan Center Parkway and Mayfield Avenue and Raritan Center Parkway . The contractor for these projects was JenElectric, Inc.

WHEREAS, the Municipal Council of the Township desires to accept the aforesaid improvements and installations.

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 Township of Edison graciously accepts the donation of the aforesaid improvements to King Georges Post Road and Clover Place, along with the installation of traffic cameras control devices at the intersections of Raritan Center Parkway and Fieldcrest Avenue and Raritan Center Parkway and Mayfield Avenue, from FBC and GSB.
3. The Mayor is authorized to execute the three (3) Noncash Charitable Contribution Forms 8283 (two (2) for FBC and one (1) for GSB), attached hereto as **Exhibit A**, acknowledging the donation of the aforesaid roadway improvements and traffic cameras and controls in the total amount of \$570,000.00, and, upon execution, the Township Clerk is directed to return said forms to Federal Business Centers, Inc., Attn: Joseph A. McGuire, Controller, at 300 Raritan Center Parkway, Edison, New Jersey, 08837.
4. This resolution shall take effect immediately.

RESOLUTION R.760-122017

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 **\$5,639.55**.

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

ABSENT: Councilmember Gomez

ABSENT FROM VOTE: Councilmember Patil

NAYS - None

The following Resolution will be voted upon separately:

RESOLUTION R.746-122017

RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO RK MECHANICAL SERVICES FOR A BOILER RENTAL AT STELTON COMMUNITY CENTER

WHEREAS, an emergency occurred on October 16, 2017 at the Stelton Community Center, 328 Plainfield Avenue, the fifty (50) year old steam boiler sustained damage; and

WHEREAS, upon investigation it was determined that the steam boiler was beyond repair and due to impending cold weather this resulted in the need for the installation of a temporary, trailer mounted steam boiler and all work associated with the installation; and

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

WHEREAS, RK MECHANICAL, 520 South Avenue, Garwood, NJ 07027 submitted a quote for the installation of a temporary, trailer mounted steam boiler and all work associated with the installation; and

WHEREAS, funds in the amount not to exceed \$175,000.000 have been certified to be available in the Reserve for Self Insurance Account, Number T-13-00-0013-000-000; and

WHEREAS, RK MECHANICAL. has completed 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 RK MECHANICAL from making any reportable contributions through the term of the 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 \$175,000.00, and any other necessary documents, with RK MECHANICAL, 520 South Avenue, Garwood, NJ 07027, for the installation of a temporary, trailer mounted steam boiler and all work associated with the installation.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$175,000.00** are available for the above contract in Account No. **T-13-00-0013-000-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

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

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

ABSENT: Councilmember Gomez

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

Mark Bukachevsky, 11 Outcalt Road, there has been some progress made with Amazon and I thank you, however the noise and shaking of my house continues.

Council President Lombardi, asked Mr. Northgrave to report on their recent meeting.

Mr. Northgrave met with Amazon early in the morning on site. Amazon has hired a noise consultant. They are working on some kind of rubber to help the sound when the trucks are backing up to the bays. Amazon is working with us to resolve the problems.

Council President Lombardi, added they do not have a final CO.

Council President Lombardi called upon Top Golf Subcommittee chaired by Councilmember Diehl, Gomez and Patil, if they could also work on the Amazon.

Councilmember Diehl thanked Mr. Northgrave for the results on Top Golf and hoping the same results for Amazon neighborhood. If businesses what to do business here, they need to be good neighbors.

Councilmember Sendelsky would like to sit on the Amazon Subcommittee.

Maryann Hennessey, 20 Carmello Drive, Merry Christmas and Happy New Year. She thanked Councilmember Shah for her service. She suggested we look at the Hartz Mountain property for a new Community Center. She had some questions regarding the light situation at Top Golf.

Mr. Northgrave explained they will have to go before the planning board to build the wall at Top Golf. They staggered Arborvitae shrubs to shield the lights.

Councilmember Coyle, thanked Mr. Northgrave for getting out on Saturday for Amazon. He put on his Chamber hat property will be built the owner will exercise their full economic utility of their property. There are limits of what we can and can't do. Exxon Plant will be developed.

Bruce Diamond, 74 Calvert Avenue, he knows O.1995-2017 was pulled but are there areas it would be restricted to? Is there any more discussion regarding the on ramp to Route 287? Happy Holidays to everyone.

Council President Lombardi, as he understood it is any GB GBH zone it would be a permitted use.

Mr. Northgrave part of reason pulled Councilmember Coyle wanted to map out.

Councilmember Sendelsky is working with Metuchen and our assemblyman on this we are on the list for that project.

Esther Nemitz, 162B Fay Street, about the suggestion to use the Hartz Mountain site, she thinks it's seven acres however it's long maybe we could swap that piece with another on that site for the community center. The microphones are terrible here the boards cannot hear. Sorry that Councilwoman Shah will not be here she will certainly be missed. She feels it's important to have a woman on the Council. She wished everyone Happy Holidays,

Ralph, 21 Outcalt Road, he appreciates the hard work everyone is doing however we need a true barrier wall. A wall like on Whitman Avenue. Have a great holiday.

Councilmember Diehl, well put sir, it needs a full scale something.

Resident, 23 Outcalt Road, it's like an earthquake from Amazon.

Councilmember Coyle, confident this council will hold their feet to the fire.

Irene Wall, 205 Fleet Avenue, regarding the Firehouse situation of the men in the trailer, she doesn't think we are doing enough to take care of these men. How many different attorneys do we have for different things? She will miss Councilwoman Shah. She asked Mr. Northgrave for an update on the status of the petition for residential parking from her neighbors. She wished you all a blessed Christmas and happy healthy new year.

Council President Lombardi, explained Mr. Northgrave is our Township Attorney, Roth D'Acquanni, LLC is our Labor Counsel, Apruzzesse, McDermott is our Special Labor Counsel and James Nolan is our Tax Appeal Counsel.

Mr. Northgrave, we asked the police department to take a look at the location.

Fred Wolke, 10 Peake Road, wished the Administration and the Councilmembers a very Merry Christmas and Happy prosperous New Year ,thanked them for their hard work.

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

Council President Lombardi, before we adjourn I would like to thank my council colleagues for allowing me to serve as president for the past two years it has been an honor and privilege.

Having no further business to discuss, on a motion made by Councilmember Diehl , seconded by Councilmember Patil the meeting was adjourned at 8:29p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno,RMC
Municipal Clerk