

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
December 27, 2018**

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:09 p.m. by Council President Patil followed by the Pledge of Allegiance.

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

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliott, Township Engineer O'Brien, Public Works Director Russomanno, Police Captain Askelson, Fire Deputy Chief Toth and Cameraman Cologne.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.

4. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Gomez, reported on behalf of Finance Committee, they met on Tuesday, December 11, 2018 to do a review of Annual Status. He thanked all of the members of the committee for their time and commitment along with the Business Administrator Ruane and Ken DeRoberts. A lot of positive news, ninety plus came in on target. Overall the Township achieved the main objectives maintaining our spending which results in the ability to maintain our bond rating. Key highlights were our rateables this year increased by Sixty eight million. All in all its been a great year. We will be adopting a new payroll system Unicorn, which is currently being used by the county is projected to go live by April 1st. This is the first year we did not have added tax appeals.

Councilmember Coyle, on behalf of Beautification Committee he brought to our attention some areas that need to be addressed, a section of Route 1 of Woodbridge Avenue, South meets Highland Park, and sidewalks on Larchmount.

Mr. O'Brien will send out someone to look at.

5. POINTS OF LIGHT:

Council President Patil, last Sunday Wreaths Across America honoring all veterans was very well attending. On December 31, 2018 Municipal Offices will be closed at 12noon. On Monday, January 7, 2019 we will have our Re-Organization/ Worksession meeting.

On a motion to move items of Resolution of Recognition and Oral Petitions and Remarks to beginning of Worksession .

Motion made by Councilmember Sendelsky, and seconded by Councilmember Diehl, duly carried.

RESOLUTION OF RECOGNITION

The following Resolutions were read in it's entirety

RESOLUTION R.720-122018

WHEREAS, 82 year old, Dr. Ed Galkin flew his 1976 six seater, single airplane around the world to bring awareness to and raise funds to combat Alzheimer's disease. Dr. Galkin's older brother, Sam passed away from complications from Alzheimer's.

WHEREAS, Dr. Galkin was born in Newark, New Jersey and grew up in Hoboken. He received his dental degree from Tufts University School of Dental Medicine. He served two years as a Captain in the United States Army Dental Corps stationed at Fort Hood, Texas. Dr.Galkin maintains a practice in Woodbridge as well as being on staff at Hackensack Meridian Health JFK Medical Center.

WHEREAS, Dr. Galkin along with his Co-captain and longtime friend, Marty Balk, flew around the world to bring awareness to and raise funds to combat Alzheimer's disease. Their journey has raised more than \$4,000.00

for Alzheimer's Association before even leaving the ground. Dr. Galkin hopes this trip will raise at least \$25,000.00 for the Alzheimer's Association.

WHEREAS, this is the third "Around the World" journey for Dr. Galkin as his first journey was in 1988 and then again in 2004. The journey in 2004 was to raise awareness and funds for Fibrodysplasia Ossificans Progressive (FOP) an extremely rare connective tissue disease that turns muscle tissue into bone, causing paralysis.

WHEREAS, Dr. Galkin hopes his flight will have some impact on the fight against Alzheimer.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS: The Municipal Council hereby recognizes Dr. Ed Galkin for his commitment to bringing awareness to the Alzheimer's Association with his "Around the World" flight.

Council President Patil opened for public comments.

Bruce Diamond, 74 Calvert Avenue, he has known Dr. Galkin for about ten years plus. He is a very nice man and good Doctor. Congrats, what a great cause.

Lois Wolke, 10 Peake Road, when she saw Dr. Galkin is being recognized she was excited. She has known Dr. Galkin over 40 years. She followed his flight on the website and what an amazing man doing this a third time. She asked Mrs. Galkin at Metuchen Fair before the trip what lead him to do this, never leave anything on his bucket list.

Council Vice President Sendelsky, thanked him for his service to our country and bringing attention and awareness to this disease.

Councilmember Diehl, Congrats on your 3rd Trip around the World and such a great cause.

Councilmember Gomez, Dr. Galkin what a remarkable thing to do, I couldn't even dream about it, thank you , Congrats.

Councilmember Joshi, Thanks for bringing light to a noble cause. Three trips around the world what an amazing way to live.

Council President Patil, not sure how you did this, amazing I like to know about your experiences.

Councilmember Coyle, pleased to give you a resolution today first for serving our country and bringing awareness, I commend you for the time and Mrs. Galkin, thank you for supporting his vision.

Councilmember Lombardi, Dr. Galkin thank you for your service to this country. Your journey should be recognized from the county and state and US amazing what you did.

Councilmember Coyle and Lombardi presented this Resolution.

Dr. Galkin raised his goal from \$20,000 to \$25,000. You can visit our website "Around the World again 3" . He thanked the town and council , it was a great journey and great to be home.

Mrs. Galkin said it was her job to worry.

ORAL PETITIONS AND REMARKS

Council President Patil opened the meeting for public comment.

Anthony DeMorin, 15 Rodak Circle, Top Golf Wall, when is it being built? When he last spoke to Councilmember Diehl construction would be in December. He feels the Mayor should be involved with the Board of Education regarding the overcrowding issue.

Council President Patil, explained we have a Council Committee on Top Golf wall. This council is doing everything in our capacity.

Lois Wolke, 10 Peake Road, where do we stand on the racist flyer? The situation on the High School Wrestler in the news the Attorney General started the investigation immediately. One of the first meeting in the new year we should get moving on this.

Councilmember Diehl, thanked the residents for bringing this up. We will not let time get in our way. He made some suggestions to Mr. Northgrave, contacting the FBI, or form a Committee of the Whole. Mr. Northgrave will report back to the council. This council will proceed to bringing those responsible for this flyer.

Councilmember Joshi, added he will not let this go. It is a disgrace that the Governor, and Attorney General has not moved on this.

Mr. Northgrave, has taken all in the information and gather some additional information he received today and is interviewing. He should by the second meeting of next year brief the council what is known and knowable.

Bruce Diamond, 74 Calvert Avenue, regarding the Flyer hope sooner than later. He asked for an update on 69 Calvert the engineers firm was out doing a survey. There are two properties on Golf and Calvert construction sites that are full of liter, aren't they required to have a dumpster on site? Happy New Year to everyone.

Mr. O'Brien will check with the Building Officer.

Mr. Elliot replied he had an inspector out today on all three sites.

Mr. O'Brien , 69 Calvert Avenue he has received everything, will be reviewing on Monday.

John Poyner, 40 Roosevelt Blvd., his website is completed its beautifuldison.com, please visit. He asked if there is added enforcement in Clara Barton since that incident at the gas station. Happy New Year.

Ms. Ruane, you are safe we have extensive enforcement in your area.

Julian Zummit, 17 Stiles Road, asked will there be a Public Meeting on the Community Center.

Ms. Ruane, yes

Andrew Hibell, asked if we can put a four way Stop Signs on Morris Avenue. Since we have closed Stelton Community Center, can it go back to the Board of Education to renovate to open for a school again?

Mr. Northgrave explained there would have to be a study done first on the stop sign.

Mr. Hibell, there are cars with NY plates go speeding down Morris to the warehouse on the end of Tived and Pierson.

Councilmember Diehl suggested we put more enforcement out there tomorrow.

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

6. FROM THE BUSINESS ADMINISTRATOR:

a. thru c. No comments were made

7. FROM THE DEPARTMENT OF FINANCE:

a. through g. No comments were made.

8. FROM THE DEPARTMENT OF HEALTH:

a. Adding to agenda "Resolution of " Governors Council Alcoholism and Drug Abuse Grant" (Resolution R.754-122018)

9. FROM THE DEPARTMENT OF LAW:

a. Councilmember Coyle, asked how much is this Bond?

Mr. O'Brien replied \$500,000.00

Mr. Northgrave explained Mayor and Council had some concerns of impacts once they opened then we asked them to post a bond for Traffic monitoring for 2-3 months, they posted it voluntarily.

Councilmember Coyle would like to pull off tonight. He would like to take a look at the report first. He feels they are not great neighbors.

Mr. Northgrave reiterated they posted this bond voluntarily, it was not a required bond.

b. No comments were made.

c. Councilmember Sendelsky, asked for explanation on this agreement.

Mr. Northgrave, explained the agreement.

9. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. and b. No comments were made.

10. FROM THE PUBLIC WORKS:

a. through c. No comments were made.

d. Council President Patil asked for explanation.

Mr. Russomanno, we were experiencing problems me and Ms. Ruane spoke with the vendor at the convention.

e. No comments were made.

11. FROM THE DEPARTMENT OF RECREATION:

a. No comment was made.

12. FROM THE CHIEF OF FIRE:

a. No comment was made.

13. FROM THE CHIEF OF POLICE:

a. through c. No comments were made.

14. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Coyle reported there were two approvals on lots on Bonnie Brook and 225 warehouse - AP what type of business - complete new space

15. UNFINISHED BUSINESS:

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:

O.2036-2018 Mr. Northgrave explained this is an authorization to go out to bid.

16. DISCUSSION ITEMS:

Council President Patil:

a. Mr. Fix It.

Ms. Ruane, hope to have up in a month or two still working on a process what we can fix and sign up.

b. Community Center, what is our short term plan.

Ms. Ruane, we have all our program still operating only new ones are being turned away.

c. Top golf and Amazon

Mr. Northgrave, Amazon wall is done.

Mr. Northgrave, Top Golf has laid down the gravel and dug holes, panel have been delivered, project completion should be around January 18th.

d. Hackensack Meridian

Mr. Northgrave, there is an agreement with JFK.

Councilmember Coyle:

a. Resolution of Recognition – Dr. Edwin Galkin “Around the World Again 3”

b. Amboy Avenue Gas station update

Police Captain Askelson, all officers are out working hard we can only report what was in the newspaper.

Council President Patil you did a great job. Thanks you for your time

Councilmember Diehl:

a. He was happy to hear about the Calvert property. He asked Carl to give him a copy of the report when it's available.

b. Any progress on Meadow Road and Kearny

- Mr. Russomanno, will send another email after the holidays to set up a meeting.
- c. Deer
 - Mr. Elliot, he was touring areas last week he is scheduled to start the count January 8th and 10th between the hours of 5:00pm and 10:00pm. We will notify residents .

Councilmember Gomez:

- a. He asked if we can have an auxiliary police car following them.

Mr. Elliot, he will be following them in a Township vehicle.

- b. He wished everyone a Happy, Healthy New Year.

Councilmember Joshi:

- a. Thank you all for this whole year had a great time and learned a lot this year really appreciate all your help and look forward to next year.

Councilmember Lombardi:

- a. Reported as of Thursday, December 20th the light at Woodland became operational.
- b. He thanked Councilmember Patil for him serving as Council President.

Councilmember Sendelsky:

- a. Have we sat down with utility companies?

Mr. O'Brien is planning to sit with the companies again.

- b. Lights on Utica light.

Mr. Russomanno, it's frustrating working with PSE & G

- c. He reported the fence is down on the old Dreyfuss building on Park Avenue.

COUNCIL PRESIDENT'S REMARKS:

Council President Patil, Thanked Council Colleagues, Administration and Clerks office for their support this past year. Working together is the key to moving this town forward. He wished everyone a Happy New Year.

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

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

| | |
|--------------------|--|
| O.2036-2018 | AN ORDINANCE AUTHORIZING THE SALE OF TOWNSHIP OWNED PROPERTY, BLOCK 376, LOT 2.B2 ON THE TAX MAP OF THE TOWNSHIP (IN THE AREA OF MEADOW ROAD) |
|--------------------|--|

(The above Ordinance O.2036-2018 can be found in its entirety in Ordinance Book #27.)

Council President Patil declared the Public Hearing opened for O.2036-2018.

Bruce Diamond, he had asked what happens with proceeds. If you go back to Open Space Ordinance land sales should go back to open space funds. He asked what properties were sold over the last 15 years. Happy New Year.

Mr. Northgrave, he will look into however this is solely to put request for bid.

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

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

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

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Patil opened the meeting to the public for comments on Proposed Resolutions R.721-122018 through R.754-122018

Lois Wolke, 10 Peak Road, Resolution R.744-122018 is it the same company?

Ms. Ruane, this is a different company, the RFP was created to specifically fit us.

Councilmember Lombardi, the Public Safety committee had extensive discussions on this, we are satisfied.

Ms. Wolke, Resolution R.734-122018, R.732-122018 and R.752-122018, labor contracts what are the main changes?

Ms. Ruane, explained the changes.

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

Councilmember Lombardi requested that Resolution R. 740-122018 be pulled for separate vote.

Councilmember Lombardi will be abstaining due to him being on one of the teams.

Councilmember Coyle requested that R.741-122018 be pulled for separate vote.

Councilmember Coyle he strongly disagrees, he would like to take a look at the traffic report. As a courtesy to the residents he would like to pull for 30 days.

Council President Patil, this was not required by ordinance.

Mr. O'Brien explained there was a dual traffic engineering study and all recommendations were taken care of.

Councilmember Diehl added Amazon is trying to be a good neighbor by voluntarily putting up this bond.

The following Resolutions R.721-122018 through R.739-122018 and R.712-122018 through R.754-122018 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.721-122018

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

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

| FUND | AMOUNT |
|----------------------|-----------------|
| Current | \$15,698,412.86 |
| Affordable Housing | 13,772.13 |
| Capital | 1,229,693.53 |
| Cash Performance | 30,851.89 |
| CDBG | 123,967.46 |
| Developers Escrow | 12,968.14 |
| Dog (Animal Control) | 6,984.94 |
| Federal Forfeited | 2,505.40 |
| Grant Funds | 127,382.35 |
| Law Enforcement | 0.00 |
| Open Space | 0.00 |

| | |
|-------------------------------|------------------------|
| Park Improvements | 0.00 |
| Payroll Deduction | 505,310.93 |
| Sanitation Fund | 95,712.07 |
| Self Insurance | 0.00 |
| Sewer Utility | 61,028.03 |
| Tax Sale Redemption | 22,164.11 |
| Tree Fund | 0.00 |
| Tree Planting | 0.00 |
| Trust | 148,937.68 |
| Edison Landfill closure Trust | 88,802.57 |
| TOTAL | \$18,168,494.09 |

/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.722-122018

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 **\$461,199.44**.

RESOLUTION R.723-122018

WHEREAS, N.J.S.A. 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, 2019 to December 31 2019, 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 are made to cover the period from January 1, 2019 to December 31, 2019 inclusive:

| DEBT SERVICE - CURRENT FUND | 2019 |
|---------------------------------------|-------------------|
| Bond Principal | 5,344,266 |
| Bond Interest | 1,227,766 |
| Bond Anticipation Note Interest | 1,489,950 |
| Bond Anticipation Note Principal | 1,310,000 |
| NJ Environmental Infrastructure Trust | 217,645 |
| Tax Appeal Note Principal | 2,030,000 |
| Tax Appeal Note Interest | 136,913 |
| Total | 11,756,540 |

DEBT SERVICE - SEWER UTILITY FUND

| | |
|---------------------------------|-----------------------|
| Bond Principal | 265,178 |
| Bond Interest | 167,025 |
| Bond Anticipation Principal | 105,000 |
| Bond Anticipation Note Interest | 255,083 |
| Total | <u><u>792,286</u></u> |

DEBT SERVICE - WATER UTILITY FUND

| | |
|----------------|----------------------|
| Bond Principal | 61,438 |
| Bond Interest | 27,305 |
| Total | <u><u>88,743</u></u> |

DEBT SERVICE - MUNICIPAL OPEN SPACE FUND

| | |
|------------------|-----------------------|
| Bond Principal | 399,120 |
| Bond Interest | 66,315 |
| Green Trust Loan | 87,117 |
| Total | <u><u>552,552</u></u> |

RESOLUTION 724-122018

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 **\$3,147.21**.

RESOLUTION R.725-12218

Authorizing tax exemption/refund for disabled veteran

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, Attached listing includes veterans who have been determined to have suffered a 100% service-related disability, with the determination of said disability being retroactive to the indicated effective date; and their respective owned properties, identified with their block, lot and qualifier, were already billed for indicated tax year; and

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

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; and

WHEREAS, pursuant to Township Code Section 5-7(d) the listed applicants are also due a refund of property taxes paid from the effective date of the determination; and the Tax Collector has reviewed the application, approval and taxes paid and recommends that the applicant is entitled to receive refund of paid taxes in the amount indicated on the attached list.

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 Township Council of the Township of Edison that property taxes due and assessed as specified on the attached list be cancelled for the indicated quarters, tax years and amounts, and also refunded for the municipal property taxes already paid from the effective date; and

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 disabled parties for the taxes already paid during the applicable exemption periods set forth and for the amount specified in the attached list totaling **\$21,893.02**.

RESOLUTION R.726-122018

EXPLANATION: Resolution Refunding Performance Bond and Refunding a Cash Performance Bond to Lila Custom home Builders, for the project located at Herron Road , Edison ,NJ ; Application # P5130; Block 1009 lot 27.H; Account # 7762495278

WHEREAS, on October 3, 2013 , Lila Custom Home Builders having offices at 6 Jego Court, NJ 08820 , posted a Performance Guarantee bond # 029002095 in the amount of **\$93,351.96**, to guarantee the installation of improvements for the project at Herron Road, Block 1009 Lot 27.H; and

WHEREAS, a Cash Performance check was posted on October 3,201 by Check #029002096, in the amount of **\$10,372.44**, on deposit in account **#7762495278**; which

WHEREAS a final inspection of the constructed improvements has been made, and the Township Engineer has determined that the project has been satisfactorily completed.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$10,372.44** plus accrued interest, if applicable, on deposit in account **#7762495278** to the applicant, and the Performance Guarantee Bond in the amount of **\$93,351.96** deposited in account# **7762495278** be refunded to Lila Custom home Builders, having offices at 6 Jego Court, Edison, N.J, 08820

RESOLUTION R.727-122018

WHEREAS, On January 19, 2012 Yao Li posted Tree Maintenance Bond fees in the amount of \$1,050.00, with Check No. 2155-642 on deposit with the Township of Edison in account #7761963599-7761963607 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 27 Maida Road, Block 556.B, Lot 39-40, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,050.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,050.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,050.00, plus any accrued interest as applicable, on deposit in Account #7761963599-7761963607 to Yao Li, 4 Chase Drive, Morganville, NJ 07751, for the referenced property at 27 Maida Road, Edison, NJ, 08820, Block 556.B, Lot 39-40

RESOLUTION R.728-122018

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Hotel Route 27, LLC for the tax year 2018.

WHEREAS, Hotel Route 27, LLC (“Taxpayer”), the owner of property located at 2055 Lincoln Highway Route 27 in the Township of Edison, County of Middlesex, and known as Block 123, Lot 11.F on the Township of

Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2018 with the Tax Court of New Jersey under Docket Number 004411-2018.

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 property was originally assessed as follows:

| | |
|---------------|-----------------------|
| | <u>2018</u> |
| Land: | \$1,995,000.00 |
| Improvements: | <u>\$2,652,800.00</u> |
| Total: | \$4,647,800.00 |

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

| | |
|---------------|-----------------------|
| | <u>2018</u> |
| Land: | \$1,995,000.00 |
| Improvements: | <u>\$2,652,800.00</u> |
| Total: | \$4,647,800.00 |

WHEREAS, the proposed settlement provides for an assessment of \$3,700,000.00 for the 2019 Tax Year;

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 “Hotel Route 27, LLC and Lasser Hochman, LLC.” and forwarded to Michael J. Donnelly, Esq., Lasser Hochman, LLC, 75 Eisenhower Parkway, Suite 120, Roseland, New Jersey 07068” 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.

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:

| | |
|---------------|-----------------------|
| | <u>2018</u> |
| Land: | \$1,995,000.00 |
| Improvements: | <u>\$2,652,800.00</u> |
| Total: | \$4,647,800.00 |

2. For the 2019 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the tax assessment at \$3,700,000.00.
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 the Stipulation of Settlement relative to the Property for Tax Year 2018 filed under Docket Number 004411-2018 by the Taxpayer, owner of the property located at 2055 Lincoln Highway Route 27, Block 123, Lot 11.F; and
5. The Form of the 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.729-122018

EXPLANATION: This Resolution authorizes the settlement of Application for Judgment Pursuant to N.J.S.A. 54:51A-8 (Freeze Act Application) filed by 375/425 RCP Assoc, LP for the tax year 2017.

WHEREAS, 375/425 RCP Assoc, LP, (“Taxpayer”), the owner of property located at 425 Raritan Center Parkway in the Township of Edison, County of Middlesex, and known as Block 395.A, Lot 24 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 002752-2016; and

WHEREAS, the Township of Edison Council approved the settlement of the 2016 Tax Appeal via Resolution R.204-0422017 on or about April 12, 2017; and

WHEREAS, said Resolution inadvertently omitted language that “The Freeze Act will apply to the Judgment to be issued by the New Jersey Tax Court”; and

WHEREAS, the Taxpayer has submitted an Application for Judgment Pursuant to N.J.S.A. 54:51A-8 (Freeze Act Application); 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 property was originally assessed as follows:

| | | |
|--------------|-------------|-----------------------|
| | <u>2017</u> | |
| Land: | | \$ 734,400.00 |
| Improvements | | <u>\$2,218,600.00</u> |
| Total | | \$2,953,000.00 |

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

| | | |
|--------------|-------------|-----------------------|
| | <u>2017</u> | |
| Land | | \$ 734,400.00 |
| Improvements | | <u>\$1,665,600.00</u> |
| Total | | \$2,400,000.00 |

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, LLC, Attorney Trust Fund” and the Taxpayer and forwarded to “Peter J. Zipp, Esq., Zipp & Tannenbaum, 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 of \$29,729.28 for the 2017 Tax Year.

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

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

| | | |
|--------------|-------------|-----------------------|
| | <u>2017</u> | |
| Land | | \$ 734,400.00 |
| Improvements | | <u>\$1,665,600.00</u> |
| Total | | \$2,400,000.00 |

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

8. The Tax Appeal Attorney for the Township is hereby authorized to execute the Application for Judgment Pursuant to N.J.S.A. 54:51A-8 (Freeze Act Application) relative to the Property for Tax Year 2017 filed under Docket Number 002752-2016 by the Taxpayer, owner of the property located at 425 Raritan Center Parkway , Block 395.A, Lot 24;
9. The Form of the Application for Judgment Pursuant to N.J.S.A. 54:51A-8 (Freeze Act Application) 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.730-122018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Gerald McNee for the Tax Year 2014.

WHEREAS, Gerald McNee (“Taxpayer”), the owner of property located at 1115 United States Route 1, Block 201, Lot 17 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2014 with the Tax Court of New Jersey under Docket Number 013917-2014.

WHEREAS, the Township Council for the Township of Edison previously authorized settlement of the 2014, 2015, 2016, 2017 and 2018 tax appeals under Resolution R.629-112018; and

WHEREAS, this Resolution seeks to correct Resolution R.629-112018 as it pertains to the settlement of the 2014 and 2015 tax years; 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 property was originally assessed as follows:

| | <u>2014</u> | <u>2015</u> |
|---------------|--------------|--------------|
| Land: | \$452,000.00 | \$452,000.00 |
| Improvements: | \$437,000.00 | \$437,000.00 |
| Total: | \$889,000.00 | \$889,000.00 |

WHEREAS, the proposed settlement provides for an assessment of the 2014 Tax Year as follows:

| | <u>2014</u> | <u>2015</u> |
|---------------|--------------|--------------|
| Land: | \$425,000.00 | \$425,000.00 |
| Improvements: | \$180,000.00 | \$180,000.00 |
| Total: | \$605,000.00 | \$605,000.00 |

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 Taxpayer and Convery, Convery & Shihar, P.C, Attorney Trust Account and forwarded to Clark W. Convery, Esq., Convery, Convery & Shihar, P.C., 32 South Main Street, 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 **\$13,421.84** for 2014 and **\$13,813.76** for 2015.

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 2014 and 2015 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

| | | |
|---------------|---------------------|---------------------|
| | <u>2014</u> | <u>2015</u> |
| Land: | \$425,000.00 | \$425,000.00 |
| Improvements: | <u>\$180,000.00</u> | <u>\$180,000.00</u> |
| Total: | \$605,000.00 | \$605,000.00 |

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 and Freeze Act Application relative to the Property for the Tax Appeal filed for the years 2014 and 2015 under Docket Number 013917-2014 by the Taxpayer, owner of the property located at 1115 United States Route 1, Block: 201, Lot 17.
4. The Freeze Act shall be applicable to this settlement for the 2015 tax year.
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.731-122018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Robert G. Paulus for the Tax Year 2014.

WHEREAS, Robert G. Paulus (“Taxpayer”), the owner of property located at Carter Drive, Block 22, Lot 6.A, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2014 with the **Tax Court of New Jersey under Docket Number 003243-2014.**

WHEREAS, the Township Council for the Township of Edison previously passed a Resolution which authorized settlement of tax appeals for the 2010, 2011, 2012 and 2013 tax years together with the applicable Freeze Act language;

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 property was originally assessed as follows:

| | |
|---------------|----------------|
| | <u>2014</u> |
| Land: | \$1,987,300 |
| Improvements: | <u>\$ 0.00</u> |
| Total: | \$1,987,300 |

WHEREAS, the proposed settlement provides for an assessment of the 2014 Tax Year as follows:

| | |
|---------------|----------------|
| | <u>2014</u> |
| Land: | \$1,164,800 |
| Improvements: | <u>\$ 0.00</u> |
| Total: | \$1,164,800 |

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, 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 Taxpayer and Sitar Law Offices. LLC, Attorney Trust Account and forwarded to William J. Sitar, Esq., Sitar Law Offices, 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 **\$38,871.35**.

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

6. For the 2014 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

| | |
|---------------|----------------|
| | <u>2014</u> |
| Land: | \$1,164,800 |
| Improvements: | <u>\$ 0.00</u> |
| Total: | \$1,164,800 |

7. Interest is waived on the refund, provided such refund is provided as specified herein; and
8. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for the Tax Appeal filed for the year 2014 under Docket Number 003243-2014 by the Taxpayer, owner of the property located at Carter Drive-Rear, Block 22, Lot 6.A.
9. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
10. 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.732-122018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Victor Tsu and Mon Ying Wang for the Tax Year 2018.

WHEREAS, Victor Tsu and Man Ying-Wong (“Taxpayers”), the owners of property located at 30 Oak Grove Lane, Block: 557.G, Lot 47, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2018 with the Tax Court of New Jersey under Docket Number 011574-2018.

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 property was originally assessed as follows:

| | |
|---------------|---------------------|
| | <u>2018</u> |
| Land: | \$210,900.00 |
| Improvements: | <u>\$289,100.00</u> |
| Total: | \$500,000.00 |

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

| | |
|---------------|---------------------|
| | <u>2018</u> |
| Land: | \$210,900.00 |
| Improvements: | <u>\$155,100.00</u> |
| Total: | \$366,000.00 |

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 “Victor Tsu and Man Ying-Wong and Robert P. Eichert” and forwarded to Robert P. Eichert, Esq., 450 Main Street, Metuchen, New Jersey 08840 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 **\$7,064.48**.

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 follow:

| | | |
|---------------|-------------|---------------------|
| | <u>2018</u> | |
| Land: | | \$210,900.00 |
| Improvements: | | <u>\$155,100.00</u> |
| Total: | | \$366,000.00 |

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 the Tax Appeal filed for the year 2018 under Docket Number 011574-2018 by the Taxpayers, owners of property located at 30 Oak Grove Lane, Block: 557.G, Lot 47.
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.733-122018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Inderpal Kaur Mann for an Added Assessment for the tax year 2016 and Grand Castle Real Estate, LLC for the tax year 2018.

WHEREAS, Inderpal Kaur Mann and Grand Castle Real Estate, LLC (“Taxpayer”), the owners of property located at 1914 Oak Tree Road in the Township of Edison, County of Middlesex, and known as Block 545.T, Lot 29 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for an Added Assessment for the 2016 tax year and a Tax Appeal for the 2018 tax year with the Tax Court of New Jersey under Docket Numbers 000482-2017 and 010555-2018; and

WHEREAS, the Township Council for the Township of Edison previously authorized settlement of these tax appeals under Resolution R.632-112018; and

WHEREAS, this Resolution is to amend Resolution R.632-112018 to correct the proposed settlement for 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> | |
| Improvements: | | \$308,600.00 |
| Months Pro Rated: | | <u>7 Months</u> |
| Total: | | \$180,017.00 |

| | | |
|---------------|-------------|---------------------|
| | <u>2018</u> | |
| Land: | | \$101,500.00 |
| Improvements: | | <u>\$380,600.00</u> |
| Total: | | \$410,100.00 |

WHEREAS, the proposed settlement provides for an assessment of the 2016 and 2018 Tax Years as follows:

2016

| | |
|-------------------|-----------------|
| Improvements | \$123,500.00 |
| Months Pro Rated: | <u>7 Months</u> |
| Total: | \$72,042.00 |

| | |
|---------------|---------------------|
| | <u>2018</u> |
| Land: | \$101,500.00 |
| Improvements: | <u>\$123,500.00</u> |
| Total: | \$225,000.00 |

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeals 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 “Sitar Law Offices, L.L.C., Attorney Trust Account” 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 \$2,703.90 for 2016 and \$9,758.47 for 2018.

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

| | |
|-------------------|-----------------|
| | <u>2016</u> |
| Improvements | \$123,500.00 |
| Months Pro Rated: | <u>7 Months</u> |
| Total: | \$72,042.00 |

| | |
|---------------|---------------------|
| | <u>2018</u> |
| Land: | \$101,500.00 |
| Improvements: | <u>\$123,500.00</u> |
| Total: | \$225,000.00 |

- Interest is waived on the refund, provided such refund is provided as specified herein; and
- The Freeze Act shall be applicable for the 2017 tax year; 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 2016 and 2018 tax years and a Freeze Act Application for the 2017 tax year under Docket Numbers 000482-2017 and 010555-2018 by the Taxpayer, owners of the property located at 1914 Oak Tree Road, Block 545.T, Lot 29; 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.734-122018

EXPLANATION: A Resolution authorizing the Township to enter into a five (5) year labor agreement with Teamsters Local #469 pursuant to the attached Memorandum of Understanding.

WHEREAS, the Township of Edison and TEAMSTERS Local #469 are parties to a collective negotiations agreement covering the period January 1, 2012 through December 31, 2017, which has expired; and

WHEREAS, the Township and TEAMSTERS Local #469 have engaged in good faith collective negotiations in an effort to reach an agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and TEAMSTERS Local#469 have reached an understanding on terms and conditions for a new agreement subject to ratification by the Township and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of TEAMSTERS Local #469.

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to TEAMSTERS Local #469 for the period January 1, 2018 through December 31, 2022.

RESOLUTION R.735-122018

EXPLANATION: A Resolution authorizing the Township to enter into a five (5) year labor agreement with A.F.S.C.M.E. pursuant to the attached Memorandum of Understanding.

WHEREAS, the Township of Edison and AFSCME Local 3269 are parties to a collective negotiations agreement covering the period January 1, 2012 through December 31, 2017, which has expired; and

WHEREAS, the Township and AFSCME have engaged in good faith collective negotiations in an effort to reach an agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and AFSCME have reached an understanding on terms and conditions for a new agreement subject to ratification by the Township and approval by the Governing Body; and

WHEREAS, the negotiating committees for the Township and AFSCME unanimously agree to recommend this understanding and Collective Negotiations Agreement for ratification and approval.

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to AFSCME for the period January 1, 2018 through December 31, 2022.

RESOLUITION R.736-122018

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000288, to the following:

Permit Number: DEV-0008
Opening Location: 27 WOODBROOK DR
Block/Lot: 1235/1
Applicant's Name & Address:
LORA AND EMIL DUL
27 WOODBROOK DR
EDISON, NJ 08820

Initial Deposit Date: 6/14/2018
Deposit Amount: \$760.00
Paid by & refunded to:

LORA AND EMIL DUL
27 WOODBROOK DR
EDISON, NJ 08820

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

RESOLUTION R.737-122018

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000285, to the following:

Permit Number: DEV-0040
Opening Location: 24 ADELE CT
Block/Lot: 265.P/16
Applicant's Name & Address:
VILAS.M.CHOPDEKAR
24 ADELE CT
EDISON, NJ 08817

Initial Deposit Date: 9/18/2018
Deposit Amount: \$2400.00
Paid by & refunded to:

VILAS.M.CHOPDEKAR
24 ADELE CT
EDISON, NJ 08817

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

RESOLUTION R.738-122018

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000281, to the following:

Permit Number: DEV-0037

Opening Location: 4 FINLEY RD

Block/Lot: 1148/24

Applicant's Name & Address:

**LOCHIATTO PAVING & MASONRY CO
1607 RT.27
EDISON, NJ 08817**

Initial Deposit Date: 09/13/2018

Deposit Amount: \$960.00

Paid by & refunded to:

**LOCHIATTO PAVING & MASONRY CO
1607 RT.27
EDISON, NJ 08817**

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

RESOLUTION R.739-122018

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000318, to the following:

Permit Number: DEV-0055

Opening Location: 14 CLAUSEN RD

Block/Lot: 267.B/27

Applicant's Name & Address:

**UNIQUE DESIGNZ LLC
23 JEAN PL
EDISON, NJ 08820**

Initial Deposit Date: 10/26/2018

Deposit Amount: \$1938.80

Paid by & refunded to:

**UNIQUE DESIGNZ LLC
23 JEAN PL
EDISON, NJ 08820**

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

RESOLUTION R.742-122018

Explanation: This Resolution authorizes the Township Council, to accept on behalf of the Township of Edison, the donation of roadway improvements to Raritan Center Parkway from Federal Business Centers, Inc. and Garden State Buildings LP, and authorize the execution of the Noncash Charitable Contribution Form 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 roadway improvements to the Township of Edison (the “Township”); and

WHEREAS, at Raritan Center Parkway in the Township, FBC managed a cooperative effort with GSB and the Township for storm sewer inspection and cleaning, milling to remove approximately 2" of asphalt roadway surface, removal and replacement of damaged curb, repaving and striping of a portion of Raritan Center Parkway (the “Project”); and

WHEREAS, the Project was undertaken in conjunction with the Township, which provided traffic control and asphalt, and the contractor for the Project was Lucas Brothers, Inc.; and

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 Raritan Center Parkway, from FBC and GSB.
3. The Mayor is authorized to execute a Noncash Charitable Contribution Forms 8283, attached hereto as **Exhibit A**, acknowledging the donation of the aforesaid roadway improvements in the total amount of \$75,000 from Garden State Buildings, L.P. and \$188,569.79 from Federal Business Centers, Inc., respectively, and upon execution, the Township Clerk is directed to return said form 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.743-122018

EXPLANATION: A Resolution authorizing the entering of a Shared Services Sewer Service Agreement with the Township of Woodbridge, for the sharing of sewer lines for the residents of both Townships.

WHEREAS, the Township of Edison (the “Township”) is a municipal corporation of the State of New Jersey authorized under the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (“**Shared Services Act**”) to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, in the spirit of mutual cooperation, the Township has the capacity to and seeks to share sewer line services with the Township of Woodbridge, (“**Woodbridge**” and collectively, with the Township, the “**Parties**”), where it has been determined that sewer services can be more efficiently provided for some Woodbridge residents by connecting their sewer lines into Township sewer lines for treatment, and for some Township residents by connecting their sewer lines into Woodbridge sewer lines for treatment ; and

WHEREAS, in furtherance of this objective, the Parties desire to enter a Shared Services Agreement (“**Agreement**,” in the form substantially similar to that attached hereto as **Exhibit A**) pursuant to the Shared Services Act to establish the terms of the shared sewer lines; and

WHEREAS, the Agreement provides for and shall be subject to cancellation by either Party upon one hundred twenty (120) days’ written notice; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) seeks to hereby authorize the Township’s entering and execution of the Agreement.

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

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

Section 2. The form of the Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor to execute the Agreement on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

Section 3. The Township shall share sewer line services with Woodbridge, pursuant to the terms set forth in the Agreement, terminable upon one hundred twenty (120) days' notice.

Section 4. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act, as well as the Business Administrator for the Board.

Section 5. This Resolution shall take effect immediately.

RESOLUTION R.744-122018

RESOLUTION AWARDING CONTRACT TO NJ STATE ASSOCIATION CHIEFS OF POLICE FOR POLICE PROMOTIONAL WRITTEN TESTING EXAMINATION SERVICES FOR POSITIONS OF SERGEANT, LIEUTENANT AND CAPTAIN

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on November 21, 2018, for RFP 18-09R, POLICE PROMOTIONAL WRITTEN TESTING EXAMINATION SERVICES FOR POSITIONS OF SERGEANT, LIEUTENANT AND CAPTAIN for a bid opening date of December 5, 2018 and five (5) proposals were received; and

WHEREAS, after review and evaluation of said bids it has been recommended by the Township that the contract be awarded to NJ State Association Chiefs of Police, 751 Route 73 North, Suite 12, Marlton, NJ 08053; and

WHEREAS, funds in the amount of \$24,450.00 have been certified to be available in the Police Department other Professional Services Account, No. 9-01-25-0240-000-028 subject to and contingent upon appropriation of sufficient funds in the 2019 temporary and/or permanent budget; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. The proposal as submitted by NJ State Association Chiefs of Police, 751 Route 73 North, Suite 12, Marlton, NJ 08053 is determined to be the lowest legally responsible, responsive bid for Police Promotional Written Testing Examination Services For Positions of Sergeant, Lieutenant And Captain.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$24,450.00, and any other necessary documents, with NJ State Association Chiefs of Police in accordance with the proposal.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$24,450.00** are available for the above contract in Account No. **9-01-25-0240-000-028** subject to and contingent upon appropriation of sufficient funds in the 2019 temporary and/or permanent budget.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.745-122018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDERS TO CDW GOVERNMENT INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF GPS REAL TIME TRACKING SYSTEMS FOR THE DIVISION OF POLICE VEHICLES

WHEREAS, the Township of Edison wishes to purchase GPS Real Time Tracking Systems for the Division of Police Vehicles; and

WHEREAS, this purchase was authorized under EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM #65MCESCCPS, MRESC 18/19-03 for which Edison Township is a member; and

WHEREAS, the total amount of this contract, not to exceed \$66,367.16 and cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount not to exceed \$66,367.16 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.746-122018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO EAST COAST EMERGENCY LIGHTING TO OUTFIT EIGHT NEW POLICE VEHICLES FOR DIVISION OF POLICE

WHEREAS, there is a need to outfit eight new police vehicles for the Division of Police; 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 \$14,853.00; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81336 - Whelen Products - in the amount not to exceed \$32,499.96; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., under State Contract 81338 – Installation - in the amount not to exceed \$18,600.00; and

WHEREAS, EAST COAST EMERGENCY LIGHTING, INC., submitted the sole quote for HAVIS brand in the amount not to exceed of \$19,675.32; and

WHEREAS, quotes were solicited for ProGard Products not under state contract and EAST COAST EMERGENCY LIGHTING, INC. submitted the sole quote in the amount of \$15,213.00; 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 \$86,000.00 have been certified to be available in the Police Field Equipment Account, Number C-04-08-1616-240-428, funds in the amount of \$14,841.28 have been certified to be available in the Police Office Equipment Account, Number C-04-08-1616-240-425; 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 \$100,841.28 and any other necessary documents, with EAST COAST EMERGENCY LIGHTING, INC., 100 Meco Drive, Millstone, NJ 08535, as described herein.

- 4. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-1 et seq of the Local Public Contracts Law, and State Contracts, No. 81327, 81335, 81336, and 81338 under T-0106.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$86,000.00** are available in Account Number **C-04-08-1616-240-428** and funds in the amount of **\$14,841.28** are available in Account Number **C-04-08-1616-240-425**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.747-122018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CONSOLIDATED STEEL & ALUMINUM FENCE CO., INC. FOR THE PURCHASE AND INSTALLATION OF FENCING AT VARIOUS TOWNSHIP PUMP STATIONS

WHEREAS, there is a need for the purchase and installation of fencing at Tingley, Progress, Oxford, Wood Ave., PED, Metuchen and Evergreen pump stations; and

WHEREAS, CONSOLIDATED STEEL & ALUMINUM FENCE CO., INC., 316 North 12th St., P.O. Box 649, Kenilworth, NJ 07033, has been awarded State Contract Number 88680 under T-0640/Fence: Chain Link, Rock, Fall, Wooden, Vinyl and Ornamental (Install & Replace); and

WHEREAS, the total amount of this contract, shall not to exceed \$37,464.00; and

WHEREAS, funds in the amount of \$37,464.00 have been certified to be available in the Sewer-Capital Improvement Projects Account, Number 8-07-55-0501-000-117; 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 of \$37,464.00, and any other necessary documents, with CONSOLIDATED STEEL & ALUMINUM FENCE CO., INC., for the purchase and installation of fencing at Tingley, Progress, Oxford, Wood Ave., PED, Metuchen and Evergreen pump stations 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. A88680/T-0640.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$37,464.00** are available for the above in Account No. **8-07-55-0501-000-117**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.748-122018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EDMUNDS & ASSOCIATES, INC. FOR RENEWAL OF HARDWARE AND SOFTWARE MAINTENANCE FOR THE EDMUNDS SYSTEM FOR 2019

WHEREAS, the Township of Edison needs to renew the hardware and software maintenance for the Edmunds System for the year 2019; and

WHEREAS, services such as support and/or maintenance of proprietary hardware and software may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(dd); and

WHEREAS, EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, NJ 08225, has submitted a proposal to provide such services for the year 2019 at a total cost of \$48,697.50; 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 EDMUNDS & ASSOCIATES, INC., 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 EDMUNDS & ASSOCIATES, INC. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$48,697.50; have been certified to be available in the Data Processing-Computer Hardware and Software Account, Number 9-01-20-0140-000-059, subject to and contingent upon appropriation of sufficient funds in the 2019 temporary and/or permanent budget; 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 and any other necessary documents, in the amount of \$48,697.50, with EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, NJ 08225 as set forth above.
4. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5 (dd) and N.J.S.A. 19:44A-20.5 et. seq, INC. as described herein
5. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$48,697.50** are available for the above contract in Account No. **9-01-20-0140-000-059**, subject to and contingent upon appropriation of sufficient funds in the 2019 temporary and/or permanent budget.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.749-122018

**RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO MULTIFORCE SYSTEMS CORP.
FOR THE UPGRADE OF THE CURRENT SOFTWARE/DATABASE TO A CLOUD BASED SYSTEM
FOR THE FUEL PUMPS**

WHEREAS, there is a need for a proprietary upgrade of the current software/database to a cloud based system; and

WHEREAS, MULTIFORCE SYSTEMS CORP., 101 Wall Street, Princeton, NJ 08540 submitted a quote in the amount of \$39,400.00; and

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

WHEREAS, funds in the amount of \$39,400.00 have been certified to be available in Fuel and Lubricants, Maintenance of other Equipment, Account Number 8-01-31-0460-000-026; and

WHEREAS, prior to contract/Purchase order, MULTIFORCE SYSTEMS CORP., 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, MULTIFORCE SYSTEMS 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 and any other necessary documents, with MULTIFORCE SYSTEMS CORP., 101 Wall Street, Princeton, NJ 08540, in amount not to exceed \$39,400.00 for a proprietary upgrade of the current software/database to a cloud based system for the fuel pumps as set forth above.

2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$39,400.00** are available, for the above contract in Account No. **8-01-31-0460-000-026**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.750-122018

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT/PURCHASE ORDER TO BAYSHORE FOR THE RECYCLING OF THE TOWNSHIP'S RECYCLABLES

WHEREAS, the Township of Edison has a need to recycle Edison's recyclable materials; and

WHEREAS, although such services are exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40:11-5(s), quotes were solicited and after review, it has been decided that BAYSHORE, 75 Crows Mill Road, PO BOX 290, Keasbey, NJ 08832 submitted the lowest quote price and other factors considered; and

WHEREAS, the initial contract will be for the period of January 1 through December 2019 at a monthly tip fee not to exceed \$65.00 per ton for a total first year not to exceed price of \$487,500.00; and

WHEREAS, the Township has the option to renew for January 1 through December 2020 at a monthly tip fee not to exceed \$70.00 per ton for a total second year not to exceed price of \$525,000.00; and

WHEREAS, prior to contract/Purchase order, BAYSHORE, 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 BAYSHORE, from making any reportable contributions through the term of the contract; and

WHEREAS, the total amount of the first year shall not exceed \$487,500.00 and the total amount of the second option year shall not exceed \$525,000.00 and cannot be encumbered at this time; and

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

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

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

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

6. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order for \$487,500.00 for the first year and \$525,000.00 for the second year at the option of the Township with BAYSHORE, 75 Crows Mill Road, PO BOX 290, Keasbey, NJ 08832 for the recycling of Edison's recyclables as described herein .
7. This contract is awarded pursuant to N.J.S.A. 40:11-5(s).

RESOLUTION R.751-122018

RESOLUTION AUTHORIZING THE 2017 LOSAP PAYMENT TO AIG VALIC C/O JP MORGAN CHASE IN THE AMOUNT OF \$32,000.00

WHEREAS, On June 26, 2002, the Edison Township Municipal Council adopted Resolution R.376-062002 which implemented the Township's Length of Service Award "LOSAP" program; and

WHEREAS, this program was created to ensure retention of existing volunteers and to provide incentives for recruiting new volunteer firefighter and first aid/rescue squad members; and

WHEREAS, the original resolution contributed yearly five hundred dollars (\$500.00) per eligible member to a deferred income account and Ordinance O.1576-2007 increased this contribution to one thousand dollars (\$1,000.00); and

WHEREAS, for the 2017 contribution, there are thirty-two (32) eligible members at one thousand dollars (\$1,000.00) each for a total amount of thirty two thousand dollars (\$32,000.00); and

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

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make the 2014 LOSAP payment to AIG VALIC C/O JP MORGAN CHASE, PO BOX 301154, Dallas, TX 75303-1154 in the amount of \$32,000.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$32,000.00 are available for the above payment in Account No. 7-01-24-0230-000-028.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.752-122018

EXPLANATION: A Resolution authorizing the Township to enter into a five (5) year labor agreement with O.P.E.I.U. (DPW Supervisors) pursuant to the attached Memorandum of Understanding.

WHEREAS, the Township of Edison and OPEIU Local 32 (DPW Supervisors) are parties to a collective negotiations agreement covering the period January 1, 2012 through December 31, 2017, which has expired; and

WHEREAS, the Township and OPEIU Local 32 (DPW Supervisors) have engaged in good faith collective negotiations in an effort to reach an agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and OPEIU Local 32 (DPW Supervisors) have reached an understanding on terms and conditions for a new agreement subject to ratification by the Township and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of OPEIU Local 32 (DPW Supervisors).

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to OPEIU Local 32 (DPW Supervisors) for the period January 1, 2018 through December 31, 2022.

RESOLUTION R. 753-122018

RESOLUTION ACCEPTING QUOTE AND AWARING CONTRACT/PURCHASE ORDER TO GARDEN STATE HIGHWAY PRODUCTS FOR THE PURCHASE OF A MESSAGE BOARD FOR THE OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, quotes were solicited by the Township of Edison for the purchase of a message board for the Office of Emergency Management; and

WHEREAS, Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ 08332 submitted the lowest quote in the amount of \$18,200.00; and

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

WHEREAS, prior to entering into a PO/contract, Garden State Highway Products, Inc., 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 Garden State Highway Products, Inc, from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$15,000.00 have been certified to be available in the Office of Emergency Management, Other Equipment and Supplies Account, No. 8-01-25-0252-000-058 and funds in the amount of \$3,200.00 have been certified to be available in the Fire Prevention, Other Equipment and Supplies Account, Number 8-01-25-0265-002-055; and

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

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

1. The Mayor or his designee is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, with Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ 08332, in the amount not to exceed \$18,200.00 for the purchase of a message board as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-2 et seq and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$15,000.00 have been certified to be available in Account No. 8-01-25-0252-000-058 and funds in the amount of \$3,200.00 have been certified to be available in Account Number 8-01-25-0265-002-055.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.754-122018

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 2020 in the amount of:

| | |
|------------|--------------|
| DEDR | \$ 89,447.00 |
| Cash Match | \$ 22,361.75 |
| In-Kind | \$ 67,085.25 |

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 Russomanno, 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 27th day of December, 2018.

Cheryl Russomanno, Municipal Clerk

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

NAYS - None

The following Resolutions will be voted upon separately:

RESOLUTION R.740-122018

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS SOFTBALL TEAMS
(MEN’S FALL LEAGUE)
FOR ENDING THE SEASON IN GOOD STANDING**

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

WHEREAS, the ordinance further states that a “Good Standing Refund” in the amount of \$75.00 shall be made payable to each softball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$600.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-014.

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

| <u>REFUND NAME</u> | <u>TEAM</u> |
|----------------------|---------------------|
| JACK MIRANDA | JFK |
| ANTHONY PETERSON | SOUTH SLIDERS |
| ROBERT SUYDAM | INGLORIUS BATTERS |
| ANDREW RADA | BALLBUSTERS |
| SAL ESPOSITO | SP BORO BOYZ |
| SALVATORE LA GRASSO | PORT NEWARK PIRATES |
| JASON RIOS | STINGERS |
| DANIEL SILLETTI, JR. | DM SLIDERS |

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

CERTIFICATION

I hereby certify that funds in the amount of \$600.00 are available for the above teams in Account No.T-13-00-1000-000-014.

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

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

ABSTAIN: Councilmember Gomez and Lombardi

NAYS - None

The following Resolutions will be voted upon separately:

RESOLUTION R.741-122018

EXPLANATION: Resolution releasing performance bond for 2170 Lincoln Highway.

WHEREAS, the Township of Edison (the “**Township**”) entered into an agreement dated September 29, 2017 (the “**MOU**”) with Amazon.com.dede, LLC (“**Amazon**”) to monitor traffic issues at or around the property located at Block 1120, Lot 63 on the tax map of the Township, more commonly known as 2170 Lincoln Highway; and

WHEREAS, all conditions of the MOU between the Township and Amazon have been satisfied; and

WHEREAS, the Township Engineer recommends the release of the performance bond, pursuant to the terms and conditions of the Performance Surety Bond, dated October 5, 2017.

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 Township Clerk be and is hereby authorized to release the aforementioned performance bond.
2. The Township Clerk shall provide a certified true copy of this resolution is forwarded to the Director of Finance.
3. This resolution shall take effect immediately.

A motion was made by Councilmember Coyle seconded by Councilmember Diehl to Pull this Resolution until February.

AYES - Councilmembers Coyle, Diehl,

NAYS - Councilmembers Gomez, Joshi, Lombardi, Sendelsky, and Council President Patil

Motion failed.

RESOLUTION R.741-122018

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

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

NAYS - None

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

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember Gomez the meeting was adjourned at 8:21 p.m.

Ajay Patil
Council President

Cheryl Russomanno, RMC
Municipal Clerk

