

**MINUTES OF  
MUNICIPAL COUNCIL  
WORKSESSION AND REGULAR MEETING  
December 28, 2016**

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 6:08 p.m. by Council President Lombardi , followed by the Pledge of Allegiance.

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

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

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

**4. REVIEW OF MINUTES:**

a. and b. No comments were made

**5. REPORTS FROM ALL COUNCIL COMMITTEES:**

Councilmember Gomez, unofficial committee report of Finance Committee and Public Safety, during Mayor Lankey's term we have hired a total of Sixteen (16) New Fire Fighters bringing our total to 36 since we changed the ordinance. We have replaced equipment to the fire and police departments. We have hired a total of Forty Seven (47) new Police Officers in the past three years bring our total to 184 active officers. He is very Proud of Police and Fire departments. We have made funds available for new business, such as Top Golf, Aldi, and Federal Express creating an image for business are welcome in Edison safe and desirable to live. Thank everyone for their team efforts.

Council President Lombardi, it's been said, when the council and administration all work together things get done and move in a positive direction. The lighting of the Menorah at the Jewish Community Center, on Oak Tree Road is tomorrow at 7:00pm. Edison Township Council Re-Organization meeting is January 4<sup>th</sup> at 6:00pm.

**6. POINTS OF LIGHT:**

**Council President Lombardi,**

Councilmember Diehl, Hiring of Police and fire, Mayor stated nice to see full Council Chambers. It was nice to see today fifteen (15) men and women sworn into Public Safety. We are listed as one of the safest places to live in the Country. Day in and day out our Police and Fire they do an excellent job, it was a very proud day today. Economic tide is turning in our favor quality of candidates are top notch.

**7. FROM THE BUSINESS ADMINISTRATOR:**

a. and b. No comments were made.

**8. FROM THE DEPARTMENT OF FINANCE:**

a. through d. No comments were made.

**9. FROM THE DEPARTMENT OF LAW:**

a. through c. No comments were made.

d. Councilmember Shah, shared services, why only Dunellen.

Ms. Ruane, they expire at different times.

g. Councilmember Shah, she reviewed CME information , we are just hiring for guidance to go to next step.

Mr. Northgrave, yes need to get closure plan together, this is the first phase.

Councilmember Shah, do they have experience in closing land fills

Mr. Kataryniak, this work has to be done before it goes to DEP. They have experience with landfill closures, Linden, Voorhees, and portion of ILR in Edison. It's a long process to get closed, could be 20 years.

Councilmember Shah asked is there any opportunity to re-coop any money.

Mr. Kataryniak, yes, there is trust fund with the DEP of approximately 15 million.

**10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**

a. and b. No comments were made.

**11. FROM THE PUBLIC WORKS:**

a. through d. No comments were made.

**12. FROM THE CHIEF OF POLICE:**

a. through c. No comments were made.

**13. FROM THE TOWNSHIP CLERK:**

a. No comment was made.

**14. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**

Councilmember Sendelsky gave his report as follows:

**Edison Township Planning Board Meeting Minutes of Monday December 19, 2016**

The following three resolutions were approved unanimously: #P10-2016 Edison 27LLC, 2147 Route 27, #P5172946 Amboy Avenue LLC, and #P11-2016 Summit Associates , 375 Raritan Center Parkway.

The first case on the agenda was #P5181 Robert McCabe at 1635 Woodland Avenue Block 415 Lot 4C1 a minor subdivision to create three building lots with a variance requested for fronting on a public right of way that is a private road. The property consists of 3.42 acres and fronts on a private roadway that is maintained by 7 residents (an association). The owner Mr. McCabe and his engineer Mr. Wells were both sworn in. Many of the items that were issues at the technical review committee meeting were not addressed such as the approval by the association for emergency access to the property, existing tree inventory, wetlands delineation or letter of interpretation. Since he plan was incomplete the case will go to TRC on 2/1/17 and then if complete will be re-heard by the planning board on 2/15/17. No further notice will be required.

The second that was heard was the Edison Township amended fair share housing plan. Leslie London Esq. the Attorney for the Fair Share Housing plan stated that language was included to address monitoring and reporting as well as an ordinance for fees for affordable housing. The housing numbers remain the same if approved, the Township should be shielded from lawsuits on affordable housing for ten years.

Shirley Bishop the Edison Township affordable housing planner said that there would be a two year extension for the Yelensics affordable housing property and that the developer fees collected would cover the Yelensics affordable housing subsidy. With the re-allocation we will have surplus credit. The Board voted to approve the amended Fair Share Plan and ordinances to be sent back to council.

Middlesex Water Company then made a small presentation before the board in order to update the Township on their Water Transmission Main Capital Plan. The existing 42 inch main line that they have on the ground now is approximately 48 years old with an expected 75 year life span. They plan on installing a loop system so that the water can be fed from either side of the system if one portion is down for inspection or repair. The Plainfield avenue portion is out for construction now and there is a two year completion date on the project. They stated that they have a pavement repair and restoration plan to handle the road resurfacing and they also stated that they would be notifying the residents in the area via door tags of the construction.

The next case heard was #P8-2016 Shree Umiya Parivar , Inc. Oak Tree Road (Citone School) Block #643DD Lot 15B3, 15V, 33 & 34. The proposal was for a vacant former educational school to be re-purposed into a religious facility. No variances were initially requested. Bernard Shier was the attorney for the applicant and Bill Lund was the applicants Engineer. He testified that a new walkway was being created in the parking lot from the westerly parking lot to the building entrance at the recommendation of our Planner Hank Bignell. He stated that there was existing drainage and utilities already on site. He also stated that the dumpster was being moved at the recommendation of the Technical review committee and was also going to be landscaped and street trees will be added. There will be a net 310 parking spaces on the site. Off duty police officers will be used at the major events. They will comply fully with our Engineer's report (Charles Curley). Lund also stated that monitoring wells had been installed on the westerly portion of the parking lot from a previous use in accordance with DEP standards. They have also already received Middlesex County Planning Board Approval. Edison Fire , Police and health have all signed off on the project.

Testimony was also given by Dr. Patel the vice chairman of operations of the non- profit as well as Atul Patel the executive secretary. He stated that there would be 8 or 9 festivals during the year and that there would be a priest quarters on the premises.

Elizabeth Dolan of Dolan and Traynor traffic Engineer also testified as to the level of service on site as well as off site. Mr. Pippala made a motion to approve the project per our professionals reports and that a variance was granted for 19 foot isle width for the one parking area due to the re-arrangement of the parking by our planner. Re-paving and re-striping will be done on lot 15 and 15 B. The project was unanimously approved. The remaining cases were re-scheduled due to the late hour.

**Respectfully Submitted Councilman Len Sendelsky**

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

O.1956-2016 No comment was made

O.1957-2016 No comment was made

**16. COMMUNICATIONS:**

a. None

**17. DISCUSSION ITEMS:**

**Council President Lombardi:**

a. None

**Councilmember Coyle:**

- a. He commended the administration on property maintenance regarding the signs, Carl is doing a great job.
- b. Department of Public Works is doing a good job working on recycling with the Environmental Commission.

**Councilmember Diehl:**

a. None

**Councilmember Gomez:**

a. None

**Councilmember Patil:**

a. None

**Councilmember Sendelsky:**

- a. He thanked Mr. Elliot and his staff for getting the hedges cut on the corner of Andre and Route 27.
- b. He asked for an update on noise complaint for Vision Construction.

Mr. Elliot, its moving forward rescheduled in January.

- c. He know Jim Ayotte, he has multiple certifications and is an excellent hire.
- d. He thanked the Chief for Uber enforcement.

**Councilmember Shah:**

- a. She asked in Councilmember Sendelsky reports on the Oak Tree Road property was there a traffic study done.

Councilmember Sendelsky, yes there was a traffic study, peak time is weekends.

She said a number of properties on Oak Tree Road have flooding, is their adequate drainage.

Councilmember Sendelsky replied yes.

- b. She asked do we have a new Zoning Officer.

Mr. Kataryniak, yes Jim Ayotte he started on December 1, 2016, his title is Supervisor of Compliance Enforcement. Zoning enforcement hand in hand with Health Department .

She asked if did duties change

Mr. Kataryniak, yes they did more.

- c. She asked Mr. Elliot Air B & B , anything new on the site.

Mr. Elliot, no follow up on complaints and continue to follow up.

**18. CLOSED SESSION:**

12/28/2016

The Council retired to Closed Session at 7:06 p.m., on a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky and duly carried. The Township Clerk read the following Resolution into the record:

**CLOSED SESSION RESOLUTION**

**WHEREAS**, Article VI of the Open Public Meetings Act provides that a public body may hold a closed session; and

**WHEREAS**, the Township Council will during this meeting enter into discussion of the following matters:

- 1) Personnel

**WHEREAS**, the matters to be discussed in closed session are to remain in the strictest of confidence by all Council Members in furtherance of their fiduciary duties to the Township of Edison;

**NOW, THEREFORE, BE IT RESOLVED**, matters discussed at this meeting will be released to the public when the reasons for discussing and acting upon them in closed session no longer exists.

The Council returned from Closed Session at 7:11p.m., on a motion made by Councilmember Patil seconded by Councilmember Sendelsky and duly carried.

**19. APPROVAL OF MINUTES:**

On a motion made by Councilmember Sendelsky, seconded by Councilmember Diehl, and duly carried, the Minutes of the Worksession Meeting of December 12, 2016 and Regular Meeting of December 14, 2016 were accepted as submitted.

**20. COUNCIL PRESIDENT'S REMARKS:**

Council President Lombardi, no additional remarks to add he said under Points of Light.

**21. RESOLUTION OF RECOGNITION:**

The following Resolution of Recognition was read in its entirety:

**RESOLUTION R.856-122016**

**WHEREAS**, the New Jersey Attorney General's Office created a Chief Diversity Officer position within the New Jersey state Department of Law and Public Safety; and

**WHEREAS**, Ms. Lora Fong, Esq. of Edison, New Jersey, was chosen by the Attorney General's Office of New Jersey to fill this newly created role. In her capacity, she will be tasked with developing a broad diversity and inclusion plan, coordinating with other departments, improving diversity training, recruitment and retention measures. She will be addressing diversity among the department's legal, law enforcement, and other staff; and

**WHEREAS**, Ms. Lora Fong, Esq., is a 1979 graduate of Rutgers University. Upon graduation she had a successful systems engineering career at IBM. Thereafter, she went on to law school. She is a 1991 graduate of Rutgers Law School, and admitted to practice in New Jersey and New York State and Federal courts; and

**WHEREAS**, Ms. Lora Fong, Esq., previously was a partner at the law firm of Brown, Moskowitz, and Kallen. Prior positions included General Counsel and Senior Vice President at Diversity Inc., in-house counsel to a number of Fortune 100 companies; and

**WHEREAS**, Ms. Lora Fong, Esq., in addition to her successful law practice she has volunteered and continues to volunteer her time to our Edison community, a number of prominent boards, professional associations; and

**WHEREAS**, Ms. Lora Fong, Esq., has served on the New Jersey State Advisory Committee to the United States Commission on Civil Rights, was a former member of the New Jersey Supreme Court to Committee on Character and Committee on Women in the Courts, was a Member of the Board of Governors and Board of Trustees for Rutgers University, was a former co-chairwoman of the New Jersey State Bar Association's Diversity Committee; former Vice President and co-chief diversity officer of the New Jersey Women Lawyers Association, past President of the Asian Pacific American Lawyers Association of New Jersey; and

12/28/2016

**WHEREAS**, we are honored that Ms. Lora Fong, Esq., a resident of Edison and former Board of Education official will be bringing positive national recognition to her hometown in her new role;

**NOW THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison to award this Resolution of Recognition to Ms. Lora Fong, Esq. for positive contributions to our community and wishing her success in her new role at the Attorney General's office.

Council President Lombardi Opened the meeting for public comment on Resolution R.856-122016.

Jerry Shi, 9 Beech Court, Congratulate Ms. Fong, he was fortunate to work with her on the Board of Education. Her experience was very valuable to the Board. Now she is moving forward onto other things, Congratulations and Good Luck.

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.

A was motion made by Councilmember Shah, seconded by Councilmember Diehl, to Adopt Resolution R.856-122016.

Councilmember Diehl, her work on the Board of Education was excellent, we were lucky to have her.

Councilmember Sendelsky congratulations to you for all you have done for Edison. Hope you don't forget about us.

Councilmember Gomez, we have met and work in the past, thank you for all your time and contributions, we look forward to your success.

Council President Lombardi, "Ditto" Good luck in your new role. We know you will bring the same dedication to your new role.

Councilmember Coyle, Congratulations, this is a tremendous accomplishment.

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

NAYS – None

Councilmember Shah presented the Resolution to Ms. Fong, it's an emotional moment, she has worked together with her for 15 years. Laura is one of the biggest fighters she knows. Wish you all the Best, and please come back.

Ms. Lora Fong, thanked all the council and a special thanks to Councilmember Shah her dear friend. It is through the action of State Attorney General Office, Christopher Careno, for creating this Chief Diversity Officer position. She has lived in Edison for 23 years it will be impossible to forget. She chose Edison because of it diversity and never regretted her decision. This is a very rich community in many ways. Thank you all for support.

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

The following Ordinances, which were introduced by Title on December 14, 2016 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

**O.1956-2016                      ORDINANCE APPROVING THE INSTALLATION OF A TRAFFIC  
SIGNAL AT THE INTERSECTION OF PLAINFIELD ROAD  
(C.R.#531/C.R.#661) AND PARK AVENUE (C.R.#531) IN THE  
TOWNSHIP OF EDISON.**

(The above Ordinance O.1956-2016 can be found in its entirety in Ordinance Book .)

Council President Lombardi declared the Public Hearing opened for O.1956-2016

None

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

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

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

NAYS - None

**O.1957-2016                    ORDINANCE APPROVING THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF WOODBRIDGE AVENUE (C.R.#514) AND MILL ROAD (C.R. #667) IN THE TOWNSHIP OF EDISON.**

(The above Ordinance O. 1957-2016 can be found in its entirety in Ordinance Book .)

Council President Lombardi declared the Public Hearing opened for O.1957-2016

None

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

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

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

NAYS - None

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.857-122016 through R.884-122016.

John Poyner, 40 Roosevelt Blvd., Resolution R.878-122016, non PTC and Resolution R.871-122016 Dunellen shared services,

Ms. Ruane, Animal Control Services, they pay us.

-  
Lois Wolke, 10 Peake Road, R.870-122016 the township received this Kilmer property from government, now it is being redeveloped with 170 Affordable Housing Units.

Mr. Northgrave, explained originally we received the land for recreation, it was repurposed so we have to pay 1.7 million. We need Federal Government approval because this is a new project. The money comes out of Affordable Housing Trust Fund.

Ms.Wolk, Resolution R.873-122016 Tax Assessor, what is unexpired term and salary.

Ms. Ruane, until July 1, 2017, salary is different.

Ms. Wolke, Resolution R.872-122016, we are adding convenience store with gas station.

Council President Lombardi, this is going to Planning Board to review.

Esther Nemitz,, 162B Fay Street, Resolution R.883-122016 glad to see but, not clear what they will be doing.

Mr. Northgrave, can't answer now.

Ms. Nemitz, Resolution R.862-122016,Tax Appeal for Redfield Village, wrong amount. Resolution R.866-122016 what is it?

Council President Lombardi, application for a grant.

Ms. Nemitz, for What?

Ms. Ruane, officers to keep streets safe.

Fred Wolke – 10 Peake Road, Resolution R.870-122016, accepted for recreation forever, who excepted?

Mr. Northgrave explained Resolution R. 870-122016 again.

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

The following Resolutions R.857-122016 through R.884-122015 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

**RESOLUTION R.857-122016**

**APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING DECEMBER 22, 2016**

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through December 22, 2016.

FUND	AMOUNT
Current	\$15,601,860.91
Affordable Housing	16,975.50
Capital	16,586.83
Cash Performance	0.00
CDBG	102,920.78
Developers Escrow	13,452.50
Dog (Animal Control)	17,975.92
Federal Forfeited	0.00
Grant Funds	10,547.78
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	507,405.77
Sanitation Fund	637,022.83
Sewer Utility	142,026.22
Tax Sale Redemption	250,549.39
Tree Fund	0.00
Tree Planting	0.00
Trust	99,717.86
<b>TOTAL</b>	<b>\$17,417,042.29</b>

/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.858-122016**

**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 **\$88,610.10**.

**RESOLUTION R.859-122016**

**EXPLANATION:** A Resolution appointing the Township of Edison Public Agency Compliance Officer.

**WHEREAS**, pursuant to the Equal Employment Opportunity and Affirmative Action Rules, *N.J.A.C. 17:27, et seq.* and the Equal Employment Opportunity Monitoring Program (collectively, the “EEO Monitoring Program”) as implemented and monitored by the State of New Jersey, Department of Treasury, Division of Purchase and Property, Contract Compliance and Audit Unit, the Township of Edison (“Township”) is required by law to designate a Public Agency Compliance Officer (“P.A.C.O.”); and

**WHEREAS**, the P.A.C.O. will be the point of contact for all matters concerning implementation and administration of the legal requirements of the EEO Monitoring Program; and

**WHEREAS**, the P.A.C.O. is also responsible for administering contracting procedures pertaining to equal employment regarding both the Township and its service providers; and

**WHEREAS**, in order to fully comply with EEO Monitoring Program, the municipal council of the Township (the “Municipal Council”) hereby desires to appoint Maureen Ruane, Township Business Administrator as the Township P.A.C.O. through the 2017 year.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby appoints Maureen Ruane, Township Administrator, as the Township P.A.C.O. through the 2017 year.
3. This Resolution shall take effect immediately.

**RESOLUTION R.860-122016**

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

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

**WHEREAS**, principal and interest will be due on various dates from January 1,2017 to December 31 2017, inclusive, on sundry bonds & Notes issued and outstanding,

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that the following appropriations be made to cover the period from January 1, 2017 to December 31,2017 inclusive:

**DEBT SERVICE-CURRENT FUND**

Bond Principal	4,901,160.29
Bond Interest	1,670,148.68
Bond Anticipation Note Principal	139,036.81
Bond Anticipation Note Interest	596,433.21
Special Emergency Note Principal	181,200.00
Special Emergency Note Interest	7,227.87

Green Trust Loan	254,225.58
NJ Environmental Infrastructure Trust	216,399.62
Tax Appeal Bond Principal	3,929,167.00
Tax Appeal Bond Interest	189,659.29
Total	<u>12,084,658.35</u>

**DEBT SERVICE-SEWER UTILITY FUND**

Bond Principal	255,463.38
Bond Interest	184,256.58
Bond Anticipation Note Interest	151,577.78
Total	<u>591,297.74</u>

**DEBT SERVICE-WATER UTILITY FUND**

Bond Principal	58,440.26
Bond Interest	31,149.40
Total	<u>89,589.66</u>

**DEBT SERVICE-MUNICIPAL OPEN SPACE TRUST FUND**

Bond Principal	404,936.12
Bond Interest	104,457.93
Total	<u>509,394.05</u>

**RESOLUTION R.861-122016**

**EXPLANATION:** This Resolution authorizes the settlement of tax appeals filed by Bell Pharmacy Realty, L.L.C., for the tax years 2012, 2013, 2014, 2015 and 2016.

**WHEREAS,** Bell Pharmacy Realty, L.L.C. (“Taxpayer”), the owner of properties located as follows: 1907 Lincoln Highway Route 27 (Block: 104.O, Lot: 2), 7 Stony Road West, (Block: 104.O, Lot: 7.A3), and Stony Road West (Rear) (Block: 104.O, Lot: 9.B) on the Township of Edison’s Tax Assessment Maps (“Properties”), filed Tax Appeals for the years, 2012, 2013, 2014, 2015 and 2016 with the Tax Court of New Jersey under Docket Numbers 014518-2012, 014200-2013, 013386-2014, 011567-2015 and 009804-2016; and

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

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

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

**WHEREAS,** the property was originally assessed as follows:

**As to Block: 104.O, Lot: 2 (1907 Lincoln Hwy, RT 27):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$306,000.00	\$306,000.00	\$306,000.00	\$306,000.00	\$306,000.00
Improvements	<u>\$442,800.00</u>	<u>\$442,800.00</u>	<u>\$442,800.00</u>	<u>\$442,800.00</u>	<u>\$442,800.00</u>
Total	\$748,800.00	\$748,800.00	\$748,800.00	\$748,000.00	\$748,800.00

**As to Block: 104.O, Lot: 7.A3 (7 Stony Road West):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00
Improvements	<u>\$ 3,200.00</u>				

Total	\$78,200.00	\$78,200.00	\$78,200.00	\$78,200.00	12/28/2016 \$78,200.00
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**As to Block: 104.O, Lot: 9.B (Stony Road West (Rear)):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00
Improvements	<u>\$ 5,200.00</u>				
Total	\$16,200.00	\$16,200.00	\$16,200.00	\$16,200.00	\$16,200.00

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

**As to Block: 104.O, Lot: 2 (1907 Lincoln Hwy, RT 27):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$306,000.00	\$306,000.00	\$306,000.00	\$306,000.00	\$306,000.00
Improvements	<u>\$442,800.00</u>	<u>\$442,800.00</u>	<u>\$367,800.00</u>	<u>\$367,800.00</u>	<u>\$367,800.00</u>
Total	\$748,800.00	\$748,800.00	\$673,800.00	\$673,800.00	\$673,800.00

**As to Block: 104.O, Lot: 7.A3 (7 Stony Road West):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00
Improvements	<u>\$ 3,200.00</u>				
Total	\$78,200.00	\$78,200.00	\$78,200.00	\$78,200.00	\$78,200.00

**As to Block: 104.O, Lot: 9.B (Stony Road West (Rear)):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00
Improvements	<u>\$ 5,200.00</u>				
Total	\$16,200.00	\$16,200.00	\$16,200.00	\$16,200.00	\$16,200.00

**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 "Archer & Greiner, P.C., Attorney Trust Fund" and the Taxpayer and forwarded to "Joseph J. Norcia, Esq., Archer & Greiner, P.C, 101 Carnegie Center, Suite 300, Princeton, New Jersey 08540" 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 **\$3,694.50** for the 2014 Tax Year Appeal, **\$3,805.50** for the 2015 Tax Year Appeal and **\$3,957.00** for the 2016 Tax Year Appeal.

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

1. For the 2012, 2013, 2014, 2015 and 2016 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

**As to Block: 104.O, Lot: 2 (1907 Lincoln Hwy, RT 27):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$306,000.00	\$306,000.00	\$306,000.00	\$306,000.00	\$306,000.00
Improvements	<u>\$442,800.00</u>	<u>\$442,800.00</u>	<u>\$367,800.00</u>	<u>\$367,800.00</u>	<u>\$367,800.00</u>
Total	\$748,800.00	\$748,800.00	\$673,800.00	\$673,800.00	\$673,800.00

**As to Block: 104.O, Lot: 7.A3 (7 Stony Road West):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00	\$75,000.00
Improvements	<u>\$ 3,200.00</u>				
Total	\$78,200.00	\$78,200.00	\$78,200.00	\$78,200.00	\$78,200.00

**As to Block: 104.O, Lot: 9.B (Stony Road West (Rear)):**

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00
Improvements	<u>\$ 5,200.00</u>				
Total	\$16,200.00	\$16,200.00	\$16,200.00	\$16,200.00	\$16,200.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2012, 2013, 2014, 2015 and 2016, Docket Numbers 014518-2012, 014200-2013, 013386-2014, 011567-2015 and 009804-2016 by the Taxpayer, owners of the properties located at 1907 Lincoln Highway Route 27 (Block: 104.O, Lot: 2), 7 Stony Road West, (Block: 104.O, Lot: 7.A3), and Stony Road West (Rear) (Block: 104.O, Lot: 9.B) ;
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.862-122016**

**EXPLANATION:** This Resolution authorizes the settlement of tax appeals filed by Redfield Village for the tax years 2012, 2013 and 2014.

**WHEREAS**, Redfield Village (“Taxpayer”), the owner of properties located as follows: 47 Maplewood Avenue, Block 692.A, Lot 23, 67 Maplewood Avenue, Block 692.J, Lot 1 and 1186 Amboy Avenue, Block 692.K, Lot 1.E on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years, 2012, 2013 and 2014 with the Tax Court of New Jersey under Docket Numbers 001583-2012, 000703-2013 and 001938-2014; 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:

**Block: 692.A, Lot: 23 (47 Maplewood Avenue)**

	<u>2012</u>	<u>2013</u>	<u>2014</u>
Land	\$116,200	\$116,200	\$116,200
Improvements	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Total	\$116,200	\$116,200	\$116,200

**Block: 692.J, Lot: 1 (67 Maplewood Avenue)**

	<u>2012</u>	<u>2013</u>	<u>2014</u>
Land	\$203,000	\$203,000	\$203,000
Improvements	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Total	\$203,000	\$203,000	\$203,000

**Block: 692.K, Lot: 1.E (1186 Amboy Avenue)**

	<u>2012</u>	<u>2013</u>	<u>2014</u>
Land	\$1,580,000	\$1,580,000	\$1,580,000
Improvements	<u>\$2,870,000</u>	<u>\$2,870,000</u>	<u>\$2,870,000</u>
Total	\$4,450,000	\$4,450,000	\$4,450,000

**WHEREAS**, the proposed settlement provides for a withdrawal of the 2012, 2013 and 2014 Tax Appeals in exchange for a reduction in the 2017 total assessment to \$4,669,200.

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

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

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

**WHEREAS**, 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 will not receive any refund for the 2012, 2013 and 2014 tax appeals.

**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. The Taxpayer hereby agrees to withdraw its 2012, 2013 and 2014 Tax Appeals;
- 7. The 2017 total assessment for Block: 692.A , Lot: 23, Block: 692.J, Lot: 1, and Block: 692.K, Lot: 1.E shall be set at \$4,669,200.
- 8. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2012, 2013 and 2014, Docket Numbers 001583-2012, 000703-2013, and 001938-2014; by the Taxpayer, owners of the properties located at 47 Maplewood Avenue, Block: 692.A, Lot: 23, 67 Maplewood Drive, Block: 692.J, Lot: 1 and 1186 Amboy Avenue, Block: 692.K, Lot 1.E.
- 9. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

**RESOLUTION R.863-122016**

**EXPLANATION:** This Resolution authorizes the settlement of Tax Appeals filed by Commerce Limited Partnership for the tax years 2012, 2013, 2014, 2015 and 2016.

**WHEREAS**, Commerce Limited Partnership (“Taxpayer”), the owner of property located at 46 East Side Avenue, in the Township of Edison, County of Middlesex, and known as Block 172, Lot 1 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years, 2012, 2013, 2014, 2015 and 2016 with the Tax Court of New Jersey under Docket Numbers 014447-2012, 015520-2013, 014640-2014, 011658-2015 and 010281-2016; and

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

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

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

**WHEREAS**, the property was originally assessed as follows:

For the Tax Years: 2012, 2013, 2014, 2015 and 2016:

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land	\$410,800.00	\$410,800.00	\$410,800.00	\$410,800.00
Improvements	<u>\$362,400.00</u>	<u>\$362,400.00</u>	<u>\$362,400.00</u>	<u>\$362,400.00</u>
Total	\$773,200.00	\$773,200.00	\$773,200.00	\$773,200.00

2016

12/28/2016

Land	\$410,800.00
Improvements	<u>\$362,400.00</u>
Total:	\$773,200.00

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

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land	\$410,800.00	\$410,800.00	\$410,800.00	\$410,800.00
Improvements	<u>\$289,200.00</u>	<u>\$289,200.00</u>	<u>\$289,200.00</u>	<u>\$314,200.00</u>
Total	\$700,000.00	\$700,000.00	\$700,000.00	\$725,000.00

2016

Land	\$410,800.00
Improvements	<u>\$314,200.00</u>
Total:	\$725,000.00

**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 "Stavitsky and Associates, Attorney Trust Fund" and the Taxpayer and forwarded to "Bruce Stavitsky, Esq., Stavitsky and Associates, 350 Passaic Avenue, Fairfield, New Jersey 07004" 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 \$3,461.63 for the 2012 Tax Year Appeal, \$3,496.03 for the 2013 Tax Year Appeal, \$3,605.83 for the 2014 Tax Year Appeal, \$2,445.67 for the 2015 Tax Year Appeal and \$2,544.96 for the 2016 Tax Year Appeal.

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

10. For the 2012, 2013, 2014, 2015 and 2016 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land	\$410,800.00	\$410,800.00	\$410,800.00	\$410,800.00
Improvements	<u>\$289,200.00</u>	<u>\$289,200.00</u>	<u>\$289,200.00</u>	<u>\$314,200.00</u>
Total	\$700,000.00	\$700,000.00	\$700,000.00	\$725,000.00

2016

Land	\$410,800.00
Improvements	<u>\$314,200.00</u>
Total:	\$725,000.00

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

12. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2012, 2013, 2014, 2015 and 2016 Docket Numbers 014447-2012, 015520-2013, 014640-2014, 011658-2015 and 010281-2016 by the Taxpayer, owner of the property located at 46 East Side Avenue, Block 172, Lot 1;

13. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and

14. 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.864-122016**

**EXPLANATION:** This Resolution authorizes the settlement of Tax Appeals filed by Vinod Kalra, for the tax year 2016.

**WHEREAS**, Vinod Kalra, (“Taxpayer”), the owner of property located at 3 Rio Vista Drive in the Township of Edison, County of Middlesex, and known as Block 553, Lot 52 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeal for the year 2016 with the Tax Court of New Jersey under Docket Number 010016-2016; 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:  
For the Tax Years: 2016

	<u>2016</u>
Land	\$124,700.00
Improvements	<u>\$495,500.00</u>
Total	\$620,200.00

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

	<u>2016</u>
Land	\$124,700.00
Improvements	<u>\$410,300.00</u>
Total	\$535,000.00

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

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

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

**WHEREAS**, 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 “Frizell & Samuels, Attorney Trust Fund” and the Taxpayer and forwarded to “Bruce Samuels, Esq., Frizell & Samuels, P.C., 450 Main Street, P.O. Box 474, 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 \$4,307.71 for the 2016 Tax Year Appeal.

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

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

16.

Land	\$124,700.00
Improvements	\$410,300.00
Total	\$535,000.00

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

18. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the year 2016, Docket Number 010016-2016 by the Taxpayer, owner of the property located at 3 Rio Vista Drive, Block 553, Lot 52;

19. The 2017 total assessment shall be \$450,000.00.

20. The Freeze Act will not apply to the judgment to be issued by the New Jersey Tax Court; and

21. 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.865-122016**

**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 STO0000219, to the following:

<b>Permit Number:</b>	<b>20101</b>
<b>Opening Location:</b>	<b>17 Midland Road</b>
<b>Block/Lot:</b>	<b>557.W/5</b>
<b>Applicant's Name &amp; Address:</b>	<b>A &amp; N General Contracting</b>
	<b>220 South Avenue East</b>
	<b>Westfield, NJ 07090</b>
<b>Initial Deposit Date:</b>	<b>10/4/16</b>
<b>Deposit Amount:</b>	<b>\$1,920.00</b>
<b>Paid by &amp; refunded to:</b>	<b>Mattco Plumbing &amp; Heating, LLC</b>
	<b>P.O. Box 288</b>
	<b>Metuchen, NJ 08840</b>

**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.866-122016**

**GRANT DESCRIPTION:** The Highway Safety fund 2016 is sued for better traffic enforcement activities in the Safe Corridor section along U.S. Highway #1. The grant provides finances for the purchase of police vehicles for increased police presence and enforcement. The grant as proposed is for \$58,201.41 which is a reimbursement grant from NJDOT upon proof of expenditures fitting this criteria.

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Highway Safety Fund 2016 Project.

**NOW THEREFORE IT BE RESOLVED** that Council of the Township of Edison formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that Mayor Thomas Lankey or the Business Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Edison and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the Grant Agreement.

Certified as a true copy of the Resolution adopted by the Council on the 28<sup>th</sup> day of December, 2016.

/s/ Cheryl Russomanno  
Township Clerk

12/28/2016

My Signature and the Clerks seal serve to acknowledge the above resolution and constitute acceptance of the terms and condition of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**RESOLUTION R.867-122016**

**WHEREAS**, it is the duty of the Municipal Council to appoint 1<sup>st</sup> Alternate Member to the Zoning Board of Adjustment; and

**WHEREAS**, the Municipal Council has selected Michael Comba to be re- appointed to said Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Michael Comba, 4 Remington Drive, Edison, NJ 08820 be and he is hereby appointed as 1<sup>st</sup> Alternate Member of the Zoning Board of Adjustment, said term to expire December 31, 2018.

**RESOLUTION R.868-122016**

**WHEREAS**, it is the duty of the Municipal Council to appoint 2<sup>nd</sup> Alternate Member to the Zoning Board of Adjustment; and

**WHEREAS**, the Municipal Council has selected Sam Joshi to be re-appointed to said Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Sam Joshi, Gate House Lane, Edison, NJ 08820 be and he is hereby appointed as 2<sup>nd</sup> Alternate Member of the Zoning Board of Adjustment, said term to expire December 31, 2018.

**RESOLUTION R.869-122016**

**EXPLANATION:** This Resolution Endorses the Amended 2016 Fair Share Plan of the Township of Edison dated December 19, 2016

**WHEREAS**, by Order dated December 2, 2016, the Honorable Arnold L. Natali, J.S.C., granted final approval of the Township of Edison's Amended Settlement Agreement and granted Final Judgment of Compliance and Repose regarding the Township's Updated Housing Element & Fair Share Plan ("HEFSP"), in the Township's declaratory judgment matter captioned, In the Matter of the Application of the Township of Edison, a municipal Corporation of the State of New Jersey, Docket No. MID-L-3944-15 (the "Litigation"); and

**WHEREAS**, the grant of Final Judgment of Compliance and Repose was subject to the (a) the adoption by the Township Planning Board and endorsement of the Township Council, of an amendment to the HEFSP's Fair Share Plan, to reallocate certain credits as set forth by the Special Court Master at the October 7, 2016 Compliance Hearing; (b) adoption of certain amendments to the Township's Affordable Housing Ordinance; (c) adoption of a compliant Development Fee Ordinance as set forth by the Special Court Master and (d) submission of such amendments set forth above in paragraphs (a) through (c), to the Special Court Master and the Court within 30 days of the entry of the Order; and

**WHEREAS**, Judge Natali advised in the December 2, 2016 Order that a subsequent and Final Order will be issued by the Court upon notification from the Special Court Master, confirming the Township's satisfaction of the conditions set forth in that Order; and

**WHEREAS**, the Township has adopted the Ordinances required by the Court, and on December 19, 2016, an Amended Fair Share Plan and the applicable amended Ordinances were reviewed by the Planning Board at a Public Hearing, and the Board determined that the Amended Fair Share Plan and amended Ordinances are consistent with the goals and objectives of the Township Master Plan, as amended, and that adoption and implementation of the Amended Fair Share Plan, is in the public interest, will protect public health and safety and will promote the general welfare; and

**WHEREAS**, by Resolution adopted on December 19, 2016, the Planning Board approved and adopted the Amended Fair Share Plan as an amendment to the Township of Edison's Master Plan; and

**WHEREAS**, the Governing Body of the Township of Edison desires to endorse the Amended Fair Share Plan as adopted by the Planning Board on December 19, 2016, and to submit the Amended Fair Share Plan to the New Jersey Superior Court for a Final Judgment of Compliance and Repose in the pending Litigation.

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

Section 1. The Council hereby approves and endorses the Amended Fair Share Plan that has been approved by the Planning Board on December 19, 2016, and authorizes its submission to the Court in compliance with the Court's December 2, 2016 Order, for review and the basis for a Final Judgment of Compliance and Repose in the Litigation.

Section 2. This Resolution shall take effect immediately.

**RESOLUTION R.870-122016**

**EXPLANATION:** A Resolution authorizing the execution of an Amendment to Deed and Abrogation of Restrictions regarding certain property at Camp Kilmer and authorizing certain payment to the U.S. General Services Administration for the purchase of such property

**WHEREAS**, the Township of Edison's ("Township") Updated Housing Element and Fair Share Plan dated December 19, 2016 (the "HEFSP"), provides for the construction of a 100% affordable housing development at property located at Camp Kilmer, Block 3-E, Lot 3.013, commonly referred to as "Area 3" in the Township (the "Property"), consisting of 170 units of rental housing of which 25 percent will be for the homeless veterans and the balance will be for families and veterans (the "Project"); and

**WHEREAS**, the Property was conveyed by the National Park Service, U.S. Department of the Interior (the "NPS"), to the Township by Deed dated February 7, 2014, at no cost and subject to certain covenants, conditions, and restrictions for public park and public recreation purposes in perpetuity (the "Deed Restrictions"); and

**WHEREAS**, the Township requested that the Deed Restrictions be abrogated to permit the Township to proceed with the Project, and the NPS concurred with such abrogation as being in the best interest of the United States of America; and

**WHEREAS**, the U.S. General Services Administration (the "GSA") has the authority to convey property by negotiated sale pursuant to the terms of 40 U.S.C. 545(b)(8), and to convey property owned by United States Department of the Army by a Delegation of Authority pursuant to Title II of the Defense Authorization Amendments and Base Closure Act (Public Law 100-526) Title XXIX of the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510); and

**WHEREAS**, the GSA has agreed to substitute its negotiated sale authority for the authority originally used to convey the Property to the Township, and to amend the terms of the Deed to reflect these changes; and

**WHEREAS**, the GSA has presented the Township with an Amendment to Deed and Abrogation of Restrictions for execution with respect to the Property (the "Deed Amendment"); and

**WHEREAS**, the Deed Amendment, removes the restrictions on use of the Property for public park and public recreation purposes, to permit the construction of the Project, and in consideration of such change in use, the Deed Amendment provides for a payment from the Township to the GSA in the amount of \$1,700,000.00 (One Million Seven Hundred Thousand Dollars), which is based on an appraisal of the Property performed by the Township in consultation with the GSA; and

**WHEREAS**, payment to the GSA for removal of the Deed Restriction was contemplated by the Township in the HEFSP and is reflected in the Township's Updated Spending Plan, which has been approved by the Court; and

**WHEREAS**, the payment to the GSA will be made from the Township's Affordable Housing Trust Fund (the "Trust Fund") and adequate funds are available in the Trust Fund for this purpose; and

**WHEREAS**, the Township will seek full reimbursement for this payment from the Redeveloper of the Project, and such funds will then be returned to reimburse the Trust Fund accordingly.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township hereby approves and authorizes the execution of the Amendment to Deed and Abrogation of Restrictions with respect to the Property, and authorizes payment in the amount of \$1,700,000.00 (One Million Seven Hundred Thousand Dollars), to be paid to the General Services Administration from the Township's Affordable Housing Trust Fund as set forth herein.
3. This Resolution shall take effect immediately.

**RESOLUTION R.871-122016**

**EXPLANATION:** A Resolution authorizing the entering of a Shared Services Agreement with the Borough of Dunellen for the Township of Edison's provision of animal control services.

**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 provide animal control services, including the regulation, collection and housing of stray animals, to the Borough of Dunellen ("Dunellen" and, together with the Township, the "Parties"), for the purpose of promoting efficiency in government and reducing each Party's respective expense for such services; and

**WHEREAS**, in furtherance, the Parties desire to enter a Shared Services Agreement ("Agreement," in the form attached hereto as *Exhibit A*) pursuant to the Shared Services Act to establish the terms of the Township's provision of animal control services to Dunellen for a term beginning January 1, 2017 and ending December 31, 2018; and

**WHEREAS**, the Agreement provides for and shall be subject to cancellation by either Party upon thirty (30) 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 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.

Section 4. This Resolution shall take effect immediately.

**RESOLUTION R.872-122016**

**EXPLANATION:** Resolution referring the proposed ordinance amending the G-B and G-BH General Business Districts to include a convenience store with a fuel station as a permitted use and rescinding Resolution R. 696-092016 referring the proposed ordinance amending the G-B General Business District to include a convenience store with a fuel station as a permitted use.

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

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

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

**WHEREAS**, on September 28, 2016, the Municipal Council adopted Resolution R. 696-092016 which, pursuant to *N.J.S.A. 40:55D-64*, instructed the Planning Board to review a proposed ordinance amending the G-B General Business District; and

**WHEREAS**, the Municipal Council desires to rescind R. 696-092016 in its entirety, including the instruction that the Planning Board review the proposed ordinance pursuant to *N.J.S.A. 40:55D-64*, amending the G-B General Business District; and

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

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

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

Section 2. The Municipal Council hereby rescinds Resolution R. 696-092016. The Planning Board is no longer instructed prepare a report of its recommendations to the Municipal Council with regard to the proposed ordinance attached to Resolution R. 696-092016.

Section 3. The Municipal Council hereby refers the proposed ordinance amending the G-B and G-BH General Business Districts to include a convenience store with a fuel station as a permitted use attached hereto as **EXHIBIT A** to the Planning Board for review and recommendation in accordance with the requirements of *N.J.S.A. 40:55D-64*.

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

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

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

Section 6. This Resolution shall take effect immediately.

#### **RESOLUTION R.873-122016**

**EXPLANATION:** A Resolution providing the Municipal Council's advice and consent to the appointment by the Mayor of JoAnn Jimenez as Township Tax Assessor for the current, unexpired Tax Assessor term, with a start date of January 9, 2017.

**WHEREAS**, the Township of Edison (the "Township") is a public body corporate and politic of the State of New Jersey, and seeks to hire a Tax Assessor to fill the unexpired term of the current Tax Assessor, with a start date of January 9, 2017; and

**WHEREAS**, the Tax Assessor shall, among other duties, establish values for all real property within the Township; and

**WHEREAS**, the Municipal Council of the Township ("Municipal Council") has reviewed the qualifications of JoAnn Jimenez to serve as Tax Assessor, including her education, training, experience and various licenses and certifications, and found her both highly experienced and suitable to fill the available position; and

**WHEREAS**, the Mayor desires to appoint JoAnn Jimenez as Tax Assessor, for the reasons set forth herein, to the current, unexpired Tax Assessor term pursuant to *N.J.S.A. 40A:9-148*, with a start date of January 9, 2017 and at a salary of \$112,500.00; and

**WHEREAS**, the Municipal Council seeks to provide its advice and consent to the aforesaid appointment, in accordance with *N.J.S.A. 40:69A-43(b)*; and

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby provides its advice and consent to the Mayor's appointment of JoAnn Jimenez to serve as Tax Assessor for the current, unexpired Tax Assessor term, effective January 9, 2017 and at a salary of \$112,500.00.
3. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

4. This Resolution shall take effect immediately.

**RESOLUTION R.874-122016**

**EXPLANATION:** This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-25-02: Roadway Improvements to Samuel C. Carpenter Boulevard; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.

**WHEREAS,** the Township of Edison advertised for a construction contract for Roadway Improvements to Samuel C. Carpenter Boulevard, Township of Edison, Middlesex County, New Jersey under Public Bid No. 15-25-02, funded by Community development Block Grant (CDBG) Funds; and

**WHEREAS,** Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857 was awarded a construction contract through resolution R.489-082015 in a contract amount of \$139,036.00 for the project, amended to \$142,089.90 under Change Order No. 1 authorized under R.780-112016; and

**WHEREAS,** the Township is in receipt of a two-year Maintenance Bond in the amount of the above stated amended contract amount; and

**WHEREAS,** the Township Engineer has reviewed the project and certifies the construction work has been completed; and therefore recommends project acceptance, release of the performance bond; and that final payment, consisting of retainage, be made to Black Rock Enterprises, LLC, in an amount of \$7,104.50 for a total construction contract as-built cost of \$142,089.90, an amount equal to the Original Contract Amount as amended by the approved Change Order No. 1.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 15-25-02: Improvements to Samuel C. Carpenter Boulevard, is deemed accepted by the Township of Edison, that the performance bond shall be released, and that final payment consisting of retainage, shall be made to Black Rock Enterprises, LLC, in an amount of \$7,104.50 for a total construction contract as-built cost of \$142,089.90.

**RESOLUTION R.875-122016**

**EXPLANATION:** This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-29-01: Emergency By-Pass Connections and Wet Well Rehabilitation for Various Pump Stations; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.

**WHEREAS,** the Township of Edison advertised for a construction contract for the Emergency By-Pass Connections and Wet Well Rehabilitation for Various Pump Stations, Township of Edison, Middlesex County, New Jersey under Public Bid No. 15-29-01; and

**WHEREAS,** Montana Construction Corp., Inc., 80 Contant Avenue, Lodi, NJ 07644 was awarded a construction contract through resolution R.213-032015 in a contract amount not to exceed \$1,293,000.00 for the project; and

**WHEREAS,** the Township is in receipt of a two-year Maintenance Bond in the amount of the above stated contract amount; and

**WHEREAS,** the Township Engineer has reviewed the project and certifies the construction work has been completed; and therefore recommends project acceptance, release of the performance bond; and that final payment, consisting of retainage, be made to Montana Construction Corp., Inc., in an amount of \$25,860.00 for a total construction contract as-built cost of \$1,293,000.00, an amount equal to the Original Contract Amount.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 15-29-01: Emergency By-Pass Connections and Wet Well Rehabilitation for Various Pump Stations, is deemed accepted by the Township of Edison, that the performance bond shall be released, and that final payment consisting of retainage, shall be made to Montana Construction Corp., Inc., in an amount of \$25,860.00 for a total construction contract as-built cost of \$1,293,000.00.

**RESOLUTION R.876-122016**

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

**WHEREAS,** the Township of Edison has a need to renew the professional risk management consulting services as required in the bylaws of the Central Jersey Joint Insurance Fund for January 1, 2017 –December 31, 2017, and pursuant to N.J.S.A. 40A:10-36; and

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

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

**WHEREAS**, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095, has submitted a proposal to provide such services for an amount not to exceed six percent (6.00%) of Edison Township's annual assessment as promulgated by the Fund not to exceed \$213,000.00; and

**WHEREAS**, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$213,000.00 and any other necessary documents with ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, 1460 US Route 9 North, Suite 210, Woodbridge, NJ 07095 for professional risk management consulting services as described herein.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

**RESOLUTION R.877-122016**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO BEYER FORD LLC FOR THE PURCHASE OF ONE (1) 2017 FORD F-250 XL 4WD SUPER CAB TRUCK FOR THE DIVISION OF POLICE**

**WHEREAS**, there is a need to purchase one (1) 2017 Ford F-250 XL 4WD Super Cab pick-up truck for the Division of Police at a price of \$30,836.50; and

**WHEREAS**, **BEYER FORD LLC**, 170 Ridgedale Avenue, Morristown, NJ 07962 has been awarded State Contract Number 88727 under T-2100/Vehicles, Trucks, Class 2, Pickup/Utility with Snow Plow Option for this vehicle; 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 \$30,836.50 has been certified to be available in the Various Upgrades Account, number C-04-16-1948-103-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$30,836.50 and any other necessary documents, with **BEYER FORD LLC**, 170 Ridgedale Avenue, Morristown, NJ 07962, 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. 88727 under T-2100.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$30,836.50** are available for the above contract in Account No. C-04-16-1948-103-000.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.878-122016**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO NJ STATE ASSOCIATION OF CHIEFS OF POLICE FOR NON-PTC TESTING AND EDUCATION**

**WHEREAS**, the Township of Edison has a need for the services of the NJ State Association of Chiefs of Police, 751 Route 73 North, Suite 12, Marlton, NJ; and

**WHEREAS**, these services include non PTC testing and education; and

**WHEREAS**, the amount spent with NJ State Association of Chiefs of Police has surpassed \$17,500.00 due to a large increase in the non-PTC testing and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

**WHEREAS**, the Purchasing Agent has determined and certified in writing that the value of these services will exceed \$17,500.00 in aggregate in a twelve month period; and

**WHEREAS**, the total amount authorized by this resolution with NJ State Association of Chiefs of Police shall not exceed \$30,000.00 (for previous and future services) for a twelve month period; 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**, prior to entering into a contract, NJ State Association of Chiefs of Police, 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 NJ State Association of Chiefs of Police from making any reportable contributions through the term of the contract; and

**WHEREAS**, the total amount of this contract/purchase order, not to exceed \$30,000.00, cannot be encumbered at this time; and

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

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

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

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

5. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$30,000.00 (for previous and future services) and any other necessary documents with NJ State Association of Chiefs of Police, 751 Route 73 North, Suite 12, Marlton, NJ for non-PTC testing and education as described herein.
6. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.

**RESOLUTION R.879-122016**

**RESOLUTION AWARDING A ONE YEAR RENEWAL CONTRACT TO MONTANA CONSTRUCTION CORPORATION INC. FOR EMERGENCY SANITARY COLLECTION SYSTEM REPAIRS**

**WHEREAS**, bids were received by the Township of Edison on December 29, 2015 for Public Bid No. 16-09-09 Emergency Sanitary Collection System Repair Services; and

**WHEREAS**, MONTANA CONSTRUCTION CORPORATION INC., 80 Contant Avenue, Lodi, NJ 07644 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, R.045-012016 dated January 13, 2016 authorized the first year contract with MONTANA CONSTRUCTION CORPORATION INC. which expires February 9, 2017; and

**WHEREAS**, contract allows for a second year renewal with a start date of February 10, 2017 with all terms and conditions of the contract remaining the same; and

**WHEREAS**, the Township of Edison would like to exercise the option to renew the contract for the second year with an expiration date of February 9, 2018; and

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**WHEREAS**, the total amount of the second year contract shall not exceed \$350,000.00; and

**WHEREAS**, the maximum amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

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

**WHEREAS**, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the 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 that the Mayor, or his designee, is hereby authorized to execute the second year of the contract in the amount not to exceed \$350,000.00, and any other necessary documents, with MONTANA CONSTRUCTION CORPORATION, INC. as described herein.

**RESOLUTION R.880-122016**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO SANITATION EQUIPMENT CORPORATION FOR THE PURCHASE OF 95 GALLON AUTOMATED/SEMI-AUTOMATED REFUSE CONTAINERS**

**WHEREAS**, bids were received by the Township of Edison on November 29, 2016 for Contract No. 16-04-25 Automated/Semi Automated Refuse Containers; and

**WHEREAS**, SANITATION EQUIPMENT CORPORATION, S-122 Route 17, Paramus, NJ 07652 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the maximum amount of the purchase shall not exceed \$53,000.00; and

**WHEREAS**, funds in the amount of \$53,000.00 have been certified to be available in the Sanitation Capital Outlay Account, Number 6-09-55-0880-000-600; and

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

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

1. All bids have been reviewed, and the bid submitted by SANITATION EQUIPMENT CORPORATION, S-122 Route 17, Paramus, NJ 07652 for Automated/Semi Automated Refuse Containers, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$53,000.00, and any other necessary documents, with SANITATION EQUIPMENT CORPORATION as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$53,000.00** are available for the above contract in Account No. **6-09-55-0880-000-600**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.881-122016**

**EXPLANATION:** This Resolution authorizes the Township Council to approve CME Associates for additional engineering services regarding landfill closure on an as-needed basis.

**WHEREAS**, the Township of Edison (the "Township") issued a Request for Proposals for Engineering Services, RFP 16-06, seeking proposals from qualified individuals and firms to provide engineering services on an as-needed basis for Township projects (the "Request for Proposals"); and

**WHEREAS**, the Township evaluated the responses submitted by various qualified individuals and firms to the Request for Proposals in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (the “Public Contracts Law”); and

**WHEREAS**, the Township approved CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859 (“CME Associates”), to provide engineering services on an as-needed basis by way of Resolution R.484-062016 to provide the Township with engineering services with regard to landfill closure; and

**WHEREAS**, the Township authorizes CME Associates to provide the Township with certain additional engineering services on an as-needed basis regarding landfill closure, and authorizes an appropriation of \$300,000.00 consistent with the proposal attached hereto as **Exhibit A**.

**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 Mayor and Township Clerk are hereby authorized and directed to execute a contract with CME Associates for additional engineering services on an as-needed basis with regard to landfill closure, and to appropriate \$300,000.00 consistent with the proposal attached hereto as **Exhibit A**.
3. Any modification to the a contract for services shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
4. The Mayor of the Township may, upon fourteen (14) days written notice in the event of substantial failure by CME Associates in accordance with the terms of **Exhibit A**, terminate any contract for the additional engineering services as described in **Exhibit A**.
5. Any contract for services shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
6. This Resolution shall take effect immediately.

**RESOLUTION R.882-122016**

**RESOLUTION TO CANCEL 2016 SEWER UTILITY BUDGET APPROPRIATIONS**

**BE IT RESOLVED**, the following 2016 Sewer Utility Budget Appropriations remain unexpended

**SEWER UTILITY FUND**

Sewer Disposal Charges

6-07-55-0501-000-078	\$400,000.00
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**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be used in the 2017 Sewer Utility Budget as an item of revenue.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the above listed unexpended balances of the Sewer Fund be canceled and be budgeted as an item of revenue in the 2017 Budget.

**RESOLUTION R.883-122016**

**EXPLANATION:** A Resolution retaining CME Associates for the purpose of providing professional survey services to determine the volumetric quantities of various mulch and soil piles located at Block 376, Lots 2.B1 and 2.B2 as shown on the tax maps of the Township (aka 327 Meadow Road).

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

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**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, (the “**LPCL**”) authorizes the award of contracts for “Professional Services” without competitive bids; and

**WHEREAS**, pursuant to the LPCL, the Township issued a Request for Proposals for Engineering Services, RFP 16-06, seeking proposals from qualified individuals and firms to provide engineering services on an as-needed basis for Township projects; and

**WHEREAS**, pursuant to R.483-062016, the Township established a pool of qualified engineers for Township projects on an as-needed basis the (“**Qualified Engineers**”); and

**WHEREAS**, the Township solicited certain Qualified Engineers pursuant to a Request for Quotation for Professional Surveying Services, for quotations to determine the volumetric quantities of the various much and soil piles (the “**Professional Surveying Services**”) located at Block 376, Lots 2.B1 and 2.B2, as shown on the tax maps of the Township (aka 327 Meadow Road) (the “**Property**”);

**WHEREAS**, the Township evaluated the responses submitted by the certain Qualified Engineers for Professional Surveying Services at the Property and determined that CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859 (“CME Associates”) shall provide the Professional Surveying Services at a cost not to exceed \$10,285.00.

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

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

Section 2. The Township desires to retain CME Associates at a cost of not to exceed \$10,285.00 for Professional Surveying Services at the Property.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with CME Associates for its Professional Surveying Services not to exceed \$10,285.00 at the Property.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to [name of firm].

Section 6. This Resolution shall take effect immediately.

#### **RESOLUTION R.884-122016**

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

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

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

**WHEREAS**, ATLANTIC SALT INCORPORATED, 134 Middle Street, Suite 210, Lowell, MA 01852 has been awarded Bid No. B-16-560 through State Coop #71-MCCPS, Treated Rock Salt under Resolution Number 16-1579-R for the amount of \$57.50 per ton; and

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

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

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

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

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

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1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$120,000.00 and any other necessary documents, with ATLANTIC SALT INCORPORATED, 134 Middle Street, Suite 210, Lowell, MA 01852 as described herein.

2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. B-16-560 through Middlesex County Cooperative Pricing Agreement, Resolution No. 16-1579-R, State Coop #71-MCCPS.

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

NAYS - None

Councilmembers Coyle and Shah left meeting at 7:35pm.

### **ORAL PETITIONS AND REMARKS**

Council President Lombardi opened the meeting for public comment.

Walt Shneer, Park Way, Trees were taken down on Walton and Park Way when will it be finished.

Mr. Russomanno, they plan to finish in the Spring.

Mr. Shneer, light at Woodridge and Mill Road.

Mr. Northgrave, the lights are already there, have to establish that there is a light there now.

Esther Nemitz, 162B Fay Street, Legal Notice bill, do not vote on this. We need legal notices in newspapers. On Amboy Avenue past Jackson Avenue car for sale parked with foreign license plates shouldn't be parked there not a used car lot. There was a nice article on December 22, 2016, non profit on May Street, this is an example of positive business.

Chief Bryan said he will take care of the car situation.

John Poyner, 40 Roosevelt Blvd., Thank you to all who helped him with events this year. He also would like to establish a Farmers Market Website.

Fred Wolke, 10 Peak Road, another Point of Light, Wreaths Across America was yesterday, only Councilmember Coyle attended this is a great tribute to veterans who fought. Wish everyone a Healthy and Happy New Year.

Council President Lombardi, wished everyone A Happy Healthy New Year.

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

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky the meeting was adjourned at 7:52 p.m.

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Michael R. Lombardi  
Council President

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Cheryl Russomanno, RMC  
Municipal Clerk