

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

**July 22, 2015**

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, July 22, 2015. The meeting was called to order at 7:03 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lombardi, Mascola, Prasad and Shah

Also present were Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Finance Director DeRoberts, Township Engineer Kataryniak, Recreation Director Halliwell, 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 11, 2014, and posted in the Main Lobby of the Municipal Complex on the same date.

**COUNCIL PRESIDENT'S REMARKS:**

Council President Diehl said the Council is addressing all the concerns that were brought up on Monday night.

Councilmember Karabinchak announced that the County has purchased the Visco property and it will become Open Space.

**2015 CALENDAR YEAR SOLID WASTE BUDGET:**

**2015 SOLID WASTE COLLECTION DISTRICT BUDGET  
of the Township of Edison, County of  
Middlesex for the Fiscal Year 2015**

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2015	2014
1. Surplus	\$ 2,304,995.23	\$ 2,333,567.80
2. Amount to be Raised by Taxes for Support of Solid Waste Collection District	9,270,297.12	8,816,473.20
Total Revenues	\$ 11,575,292.35	\$ 11,150,041.00

Summary of Appropriations	2015 Budget	Final 2014 Budget
1. Operating Expenses: Salaries & Wages	\$ 2,550,000.00	\$ 2,550,000.00
Other Expenses	6,815,592.35	6,390,341.00
2. Deferred Charges & Other Appropriations	709,700.00	709,700.00
3. Capital Improvements	1,500,000.00	1,500,000.00
Total Appropriations	\$ 11,575,292.35	\$ 11,150,041.00
Total Number of FT Employees	27	28

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Council of the Township of Edison, County of Middlesex on May 27, 2015.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building on June 24, 2015 at 7:00 o'clock P.M., at which time and place objections to said budget and Tax Resolution for the year 2014 may be presented by taxpayers or other interested persons.

Copies of the budget are available in the office of Cheryl Russomanno, Acting Township Clerk, at Township Hall, 100 Municipal Boulevard, Edison, New Jersey, (732) 248-7350, during the hours of 8:00 A.M. to 4:00 P.M. each weekday.

Council President Diehl asked why the Solid Waste Budget is separate from the Municipal Budget.

Mr. DeRoberts explained that this is the State format that must be used.

Council President Diehl said it is confusing and asked if we are required by law to separate it.

Mr. DeRoberts said the State provides this format for Sanitation Districts and we do not have a sanitation district.

A motion was made by Councilmember Karabinchak, seconded by Councilmember Gomez, to adopt the 2015 Calendar Year Solid Waste Budget.

AYES - Councilmembers Gomez, Karabinchak and Lombardi.

NAYS - Councilmembers Mascola, Prasad, Shah and Council President Diehl.

MOTION FAILED

**2015 CALENDAR YEAR MUNICIPAL BUDGET:**

**2015 MUNICIPAL BUDGET  
of the Township of Edison, County of  
Middlesex for the Fiscal Year 2015**

**Revenue and Appropriation Summaries**

Summary of Revenues	Anticipated	
	2015	2014
1 Surplus	\$ 10,000,000.00	\$ 6,450,000.00
2 Total Miscellaneous Revenues	28,618,970.70	30,051,946.71
3 Receipts from Delinquent Taxes	5,000.00	5,000.00
4 a) Local Tax for Municipal Purposes	82,988,672.41	80,095,981.01
b) Addition to Local District School Tax		
c) Municipal Library Tax	4,858,809.00	4,678,324.68
Total Amount to be Raised by Taxes for Support of Municipal Budget	87,847,481.41	84,774,305.69
Total General Revenues	\$ 126,471,452.11	\$ 121,281,252.40

Summary of Appropriations	2015 Budget	Final 2014 Budget
1 Operating Salaries & Wages	\$ 57,743,485.00	\$ 56,369,487.10
Expenses:		

Other Expenses	42,900,151.80	40,170,598.48
2 Deferred Charges & Other Appropriations	16,063,740.52	15,649,169.86
3 Capital Improvements	750,000.00	202,000.00
4 Debt Service	7,012,429.22	6,888,351.39
5 Reserve for Uncollected Taxes	2,001,645.57	2,001,645.57
Total General Appropriations	\$ 126,471,452.11	\$ 121,281,252.40
Total Number of FT Employees	560	\$ 548.00

2015 Dedicated Water Utility Budget		
Summary of Revenues	Anticipated	
	2015	2014
1 Surplus		\$ 90,200.00
2 Miscellaneous Revenues		
3 Deficit (General Budget)	\$ 90,005.00	595.95
Total Revenues	\$ 90,005.00	\$ 90,795.95
Summary of Appropriations	2015 Budget	Final 2014 Budget
1 Operating Expenses:		
Salaries & Wages		
Other Expenses		
2 Capital Improvements		
3 Debt Service	\$ 90,005.00	\$ 90,795.95
4 Deferred Charges & Other Appropriations		
5 Surplus (General Budget)	-	
Total Appropriations	\$ 90,005.00	\$ 90,795.95
Total Number of FT Employees	0	0

2015 Dedicated Sewer Utility Budget		
Summary of Revenues	Anticipated	
	2015	2014
1 Surplus		
2 Miscellaneous Revenues	\$ 17,434,316.10	\$ 16,464,504.75
3 Deficit (General Budget)	1,198.61	258,439.85
Total Revenues	\$ 17,435,514.71	\$ 16,722,944.60
Summary of Appropriations	2015 Budget	Final 2014 Budget
1 Operating Expenses:		
Salaries & Wages	\$ 1,847,747.00	\$ 1,847,747.00
Other Expenses	14,178,175.29	13,205,666.00
2 Capital Improvements	550,000.00	550,000.00
3 Debt Service	453,391.81	456,089.75

4 Deferred Charges & Other Appropriations	406,200.61	663,441.85
5 Surplus (General Budget)		
Total Appropriations	\$ 17,435,514.71	\$ 16,722,944.60
Total Number of FT Employees	12	11

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Balance of Outstanding Debt				
	General	Water Utility	Sewer Utility	Utility Other
Interest	\$ 12,381,542	\$ 295,249	\$ 2,264,262	
Principal	56,171,264	909,570	5,616,635	
Outstanding Balance	68,552,806	1,204,819	7,880,897	

**Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Township Council of the Township of Edison, County of Middlesex on May 27, 2015.**

**A Hearing on the Budget and Tax Resolution will be held at the Municipal Building on June 24, 2015 at 7:00 o'clock P.M., at which time and place objections to said budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.**

**Copies of the budget are available in the office of Cheryl Russomanno, Acting Township Clerk, at Township Hall, 100 Municipal Boulevard, Edison, New Jersey, (732) 248-7350, during the hours of 8:00 A.M. to 4:00 P.M. each weekday.**

Councilmember Mascola said he will be voting no on the budget. He said the Finance Committee took it down but his main concerns are the nine union contracts that have not settled. He can't imagine what we will be facing next year.

Council President Diehl said he will also be voting no as he felt we can do better.

Councilmember Karabinchak said he will be voting yes on the budget. He said the Administration did review all the line items and regardless of the union contracts we have to move forward with our budget. He said we need to increase personnel for our quality of life issues. He said nothing will happen if we don't move forward. He felt we do not want to reduce services that the government is supposed to provide.

Councilmember Gomez thanked the Finance Committee for all the hard work that went into the budget. He said we are concerned with the safety and well being of our residents so we invest dollars in Fire, Police and DPW. He felt any additional reductions will affect services. He said part of the amendment is a reduction in Fire and Police salaries. There is no additional spending. He said we have a very low debt ratio. He felt this budget will keep us moving forward and ahead of the game. He said there is nothing that hasn't been looked at and is always open to any recommendations.

Council President Diehl felt we can move the Township forward without spending money. He said if the budget fails tonight it will come back lower and that is a good thing. He felt after last year's increase and the water and sewer rate increases the residents have said enough is enough, taxes are too high.

Councilmember Lombardi said he will vote yes. He met with every department head and every department does not have enough staff. He said he has not received any input from any Councilmembers.

Councilmember Mascola said the senior citizens cannot afford to stay here. They sell their home to younger families with children so there are more kids for the school system. He felt we have to come up with a way to keep our seniors in town. He said we knew we were losing revenue and it didn't happen overnight. He said we must do better.

Councilmember Gomez asked if senior taxes are frozen.

Councilmember Mascola said not for everyone.

Councilmember Gomez said the Mayor went through all the details of the budget last month during his presentation and there were no questions or input at that time and now at the last minute after all the work has been done there are questions. He asked where the budget can be cut.

Councilmember Lombardi said if we do not hire additional Police and Fire the overtime will increase.

A motion was made by Councilmember Karabinchak, seconded by Councilmember Gomez, to adopt the 2015 Calendar Year Municipal Budget.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, and Shah.

NAYS - Councilmembers Mascola, Prasad and Council President Diehl.

**ADMINISTRATIVE AGENDA:**  
**FROM MAYOR LANKEY:**

July 8, 2015

Edison Township Council  
100 Municipal Boulevard  
Edison, NJ 08817

Dear Honorable Council Members:

I am writing to advise you that I hereby appoint Andrew Toth as Emergency Management Coordinator for the Township of Edison pursuant to the New Jersey Civilian Defense and Disaster Control Act, N.J.S.A. App. A 9-30 et seq. ("Act"), Directive No. 102 of the State Director of the office of Emergency Management ("Directive") and Township Code Section 2-6.1 ("Code Section 2-6.1")

I find that Mr. Toth not only meets, but exceeds the requirements of the Act, Directive and Code Section 2-6.1 for this appointment.

Mr. Toth's appointment is for a period of three (3) years from the date of this letter, as provided by law.

Very truly yours,

/s/ Thomas Lankey  
Mayor

**APPROVAL OF VOLUNTEER FIREFIGHTERS**

Applications for membership were received by:

Edison Volunteer Fire Company #1  
Alexander Storts

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

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

The following Ordinance, which was introduced by Title on June 24, 2015, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1911-2015                    ORDINANCE FORMALLY ACCEPTS THE DEDICATION OF PORTIONS OF A JOINT WASTWATER CONVEYANCE SYSTEM FROM SC HOLDING, INC. IN CONNECTION WITH THE CLOSURE OF THE EDISON LANDFILL.**

(The above Ordinance O.1911-2015 can be found in its entirety in Ordinance Book #26.)

Council President Diehl declared the Public Hearing opened for O.1911-2015.

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

On a motion made by Councilmember Mascola, seconded by Councilmember Karabinchak, the Ordinance was adopted.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl

NAYS - None

**NEW BUSINESS:**  
**PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR AUGUST 19, 2015.**

The following Ordinance was introduced by title:

**O.1912-2015                    ORDINANCE AMENDING THE TOWNSHIP CODE TO UPDATE THE ADDRESS LIST OF PERSONS ENTITLED TO HANDICAPPED PARKING SPACES.**

On a motion made by Councilmember Lombardi, seconded by Councilmember Karabinchak, this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on August 19, 2015.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah, and Council President Diehl

NAYS - None

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.408-072015 through R.458-072015

Esther Nemitz, 162B Fay Street, on Resolution R.420-072015, she thanked the Council for putting this forward as she feels it is crucial that we protect our water supply and the water shed. On Resolutions R.422-072015 and R.424-072015, she said this is Excel Environmental and we have been waiting years and years for this to happen and she is happy to finally see this on the agenda allowing us to do something with the property. On Resolution R.447-072015, she said one of the locations is near the farmer’s market which will be very helpful and she asked how soon the flags will be up. Finally, she said she is in support of Resolution R.458-072015.

Bruce Diamond, Calvert Avenue, asked for an explanation of Resolution R.458-072015.

Council President Diehl said this is establishing an investigatory committee to look into Police matters.

Mr. Diamond asked what does the Council feel they can accomplish.

Council President Diehl said that depends on the information that is received and this gives them the ability to investigate.

Charles Goldstein, Carmello Drive, said he agrees with Resolution R.458-072015. He felt if there is a patterned practice and we fail to take action in today’s electronic society that is a lack of judgement, wisdom and discretion.

Fred Wolke, 10 Peake Road, on Resolution R.440-072015 regarding the leaf bags, he felt that if we are interested in saving money we should strike this from the budget. On Resolution R.458-072015 he felt this is very vague and overreaching and does not state what is being done.

Council President Diehl said this issue does not come up often. This is only the second time in his fourteen years on the Council.

Julian Zammit, 17 Stiles Road, said he agrees with Mr. Wolke on Resolution R.440-072015. He feels if the budget is tight residents should purchase their own leaf bags.

Walter Stochel, 2118 Oak Tree Road, on Resolution R.433-072015, he asked if the new development paid to resurface the portion of the road in front of the development.

Councilmember Karabinchak said this development goes back a long way and has been sold two or three times since it started. He said there is no one to go after for the money as everyone went bust.

Mr. Stochel inquired if a developer goes bankrupt does anyone have to abide by the agreement.

Councilmember Karabinchak said there is no place to go in this instance.

Councilmember Lombardi said the cost was split between Edison and South Plainfield.

Mr. Stochel felt Resolution R.458-072015 allows the Council to look into more detail.

Irene Wall, 205 Fleet Avenue, on Resolution R.433-072015, she said this was done for the Barclay's. She said we have had problems with this developer before. She said she has been complaining for years on Resolutions like R.441-072015, as they do not contain the street address. On Resolution R.458-072015, she commented that the last time this was done was to investigate the former Mayor and she asked what the outcome of that investigation was.

Bill Brunner, 215 Loring Avenue, on Resolution R.440-072015, he felt that if we do not provide the leaf bags residents will simply put them in the trash.

Sam Joshi, Library Place, on Resolution R.458-072015, felt it goes without saying that racism is intolerable but he felt this Resolution cannot be effective the way it is worded. He said we don't know any of the facts and he felt this sets a bad precedent that Township employee's personal cell phones can be audited. He felt the Council should not vote on this tonight.

Peter Kothari, Woodbridge, New Jersey, on Resolution R.458-072015, he felt that the residents don't know what was said or discussed and the public should have a right to know. He felt a Police Officer should have no bias and we have not learned from history.

Council President Diehl said he is asking the Council not to speak publicly on this.

Citizen, 568 Ashford Road, Springfield, New Jersey, said Edison has a long history of issues with the Police Department not respecting the Asian community. He felt the New Jersey Police are the most powerful lobbyists in Trenton and are financing elections and that is why nothing is done.

Council President Diehl said he disagrees and said we have not forgotten the past.

Councilmember Karabinchak said he disagrees. The Officers involved in past incidents are gone. He said the safety of the public is number one with this Administration. He felt there are changes being made and there is zero tolerance for this behavior.

Councilmember Shah commented that a lot of those Officers are not gone and she hopes we have a unanimous decision on the Committee of the Whole.

Rich Sweeney, 213 Suttons Lane, on Resolution R.458-072015, said he feels we have one of the finest Police Departments in the State and we should not trash an entire department because of a few.

Mr. Swali, Grove Avenue, on Resolution R.458-072015 he said this is not about being anti-Police. He asked for clarification on what the Committee of the Whole is and is it only for Councilmembers.

Council President Diehl explained the Committee of the Whole process and said it is a first step in determining in what direction the Council should go.

Richard Lord, 63 Schuyler Drive, on Resolution R.458-072015, he said we are lucky in New Jersey that we have people who are willing to pay Police what they are worth. He said other places in the country do not do that. He said we cannot ignore racism and felt the country is sick with racism. He said we should not be shocked that somebody's cell phone has racist comments on it. He felt we have to be human and forgiving. He felt Police Officers are good men and women who make mistakes and he said they walk a fine line every day.

Frank Greco, 10 Maida Road, on Resolution R.458-072015, he said he has the deepest respect for the Indian community. He served in India and saw the sacrifices they made. He felt people in the Police Department have families and should be treated with respect. He felt there will be mistakes and we should not put a blanket on the entire Department.

Resident, Iselin, New Jersey, on Resolution R.458-072015, he said he is a member of a national organization and is not here to criticize law enforcement. He said he comes from the land of Gandhi and non-violence. The Indian community are very educated people and impact the community in a positive way. They take as much as they can and then they must stand up for their civil rights. He felt with respect to law enforcement most PBA contributions are from Indian families and they will not accept racism. He felt we must be careful when we hire new Police Officers.

Mr. Swali, Grove Avenue, said racism is unacceptable and we should take this Resolution seriously.

Elizabeth Conway, 20 Netherwood Circle, on Resolution R.458-072015, she asked if there is an established committee that could check into this without creating a whole new body.

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

The following Resolutions R.408-072015 through R.439-072015 and R.441-072015 through R.455-072015 and R.457-072015 were adopted under the Consent Agenda on a motion made by Councilmember Karabinchak and seconded by Councilmember Gomez.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah, and Council President Diehl

NAYS - None

#### **RESOLUTION R.408-072015**

#### APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JULY 16, 2015

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through July 16, 2015.

FUND	AMOUNT
Current	\$22,723,452.21
Affordable Housing	31,629.50
Capital	3,652,101.49
Cash Performance	14,297.39
CDBG	20,008.78
Developers Escrow	16,535.31
Dog (Animal Control)	11,285.16
Federal Forfeited	5,903.09
Grant Funds	27,825.93
Law Enforcement	0.00
Open Space	2,500,000.00
Payroll Deduction	965,999.40
Sanitation Fund	403,378.22
Sewer Utility	2,033,205.39
Tax Sale Redemption	519,779.85
Street Opening	0.00
Tree Planting	2,700.00
Trust	2,159,285.10
<b>TOTAL</b>	<b>\$35,087,386.82</b>

/s/ Agnes Yang  
Acting 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.409-072015**

**WHEREAS**, 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 said tax sale certificates have been redeemed thereof, and 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 Director of Finance is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling \$296,710.79.

**RESOLUTION R.410-072015**

**WHEREAS**, the Local Budget Law, specifically N.J.S.A. 40A:4-20, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of budget; and

**WHEREAS**, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 20 (revised to April 24) unless said budget calendar is extended according to law; and

**WHEREAS**, the date of this Resolution is prior to the adoption of the 2015 Calendar Year Budget,

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey that the following Temporary Emergency Appropriations be made and that a certified copy of this Resolution be transmitted to the Director of Finance for her record.

	<u>2015</u>
<b>CURRENT FUND</b>	
<b>OFFICE OF THE MAYOR</b>	
SALARIE & WAGES	3,500.00
OTHER EXPENSES	0.00
<b>MUNICIPAL COUNCIL</b>	
SALARIE & WAGES	2,400.00
OTHER EXPENSES	0.00
<b>OFFICE OF THE TOWNSHIP CLERK</b>	
SALARIE & WAGES	12,000.00
OTHER EXPENSES	7,681.17
<b>ETHICS COMMISSION</b>	
OTHER EXPENSES	708.33
<b>OFFICE OF BUSINESS ADMINISTRATOR</b>	
SALARIE & WAGES	38,000.00
OTHER EXPENSES	3,765.54
<b>COMMUNICATIONS</b>	
SALARIE & WAGES	0.00
OTHER EXPENSES	4,819.67
<b>DIVISION OF CENTRAL PURCHASES</b>	
SALARIE & WAGES	16,200.00
OTHER EXPENSES	3,963.05
CENTRALIZED STORES	2,493.50
<b>LEGAL DEPARTMENT</b>	
SALARIES & WAGES	3,000.00
OTHER EXPENSES	27,083.00
<b>DEPARTMENT OF FINANCE</b>	
SALARIES & WAGES	0.00
OTHER EXPENSES	0.00
AUDIT	3,003.67
<b>DIVISION OF ACCOUNTS AND CONTROL</b>	
SALARIES & WAGES	1,500.00
OTHER EXPENSES	21,665.84
<b>DATA PROCESSING</b>	

OTHER EXPENSES	0.00
DIVISION OF CUSTODY & DISBURSEMENT	
SALARIES & WAGES	10,000.00
OTHER EXPENSES	0.00
TAX COLLECTOR	
SALARIES & WAGES	31,361.62
OTHER EXPENSES	2,715.42
TAX ASSESSOR	
SALARIES & WAGES	7,200.00
OTHER EXPENSES	5,208.70
RECREATION	
SALARIES & WAGES	25,845.26
OTHER EXPENSES	43,929.26
TELEPHONE	20,833.34
HEAT ,LIGHT AND POWER	57,745.03
HEALTH	
SALARIES & WAGES	71,241.76
OTHER EXPENSES	0.00
DIVISION OF SENIOR CITIZEN SERVICES	
SALARIES & WAGES	23,000.00
OTHER EXPENSES	3,133.34
DIVISION OF POLICE	
SALARIES & WAGES	1,147,311.12
OTHER EXPENSES	144,775.83
DISPATCH 911	
SALARIES & WAGES	84,000.00
OTHER EXPENSES	21,779.67
POLICE VEHICLE MAINTENANCE	
SALARIES & WAGES	10,000.00
OTHER EXPENSES	39,166.67
FIRE FIGHTING	
SALARIES & WAGES	960,000.00
OTHER EXPENSES	28,916.46
FIRE PREVENTION	
SALARIES & WAGES	9,500.00
OTHER EXPENSES	9,350.00
FIRE HYDRANT SERVICES	121,833.66
AID TO VOLUNTEER FIRE COMPANIES	9,166.66
AID TO FIRST AID SQUAD	8,750.00
PARKS & TREES	
SALARIES & WAGES	16,000.00
OTHER EXPENSES	11,466.67
MUNICIPAL GARAGE	
SALARIES & WAGES	12,000.00
OTHER EXPENSES	8,000.00
FUELS, LUBRICANTS FOR MUN. EQUIPT.	77,000.00
STREET LIGHTING	150,000.00
STREETS & ROADS	
SALARIES & WAGES	26,000.00
OTHER EXPENSES	38,325.00
BUILDINGS & GROUNDS	
SALARIES & WAGES	53,000.00
OTHER EXPENSES	8,500.00
SOLID WASTE RECYCLING	
SALARIES & WAGES	0.00
OTHER EXPENSES	3,500.00
CONSTRUCTION ENFORCING AGENCY	
SALARIES & WAGES	42,000.00
OTHER EXPENSES	16,541.70
DIVISION OF ENGINEERING	
SALARIES & WAGES	29,000.00
OTHER EXPENSES	11,402.59
DIVISION OF PALNNING AND ZOING	

SALARIES & WAGES	17,000.00
OTHER EXPENSES	3,416.66
PLANNING BOARD	
OTHER EXPENSES	0.00
ZONING BOARD	
OTHER EXPENSES	3,216.67
RENT CONTROL BOARD	
SALARIES & WAGES	400.00
OTHER EXPENSES	41.66
ENVIRONMENTAL COMMISSION	
OTHER EXPENSES	0.00
MUNICIPAL COURT	
SALARIES & WAGES	29,000.00
OTHER EXPENSES	0.00
PUBLIC DEFENDER	
SALARIES & WAGES	2,416.66
OTHER EXPENSES	166.66
PUBLIC LIBRARY	
SALARIES & WAGES	100,000.00
OTHER EXPENSES	404,223.48
CONDOMINIUM SERVICES	
OTHER EXPENSES	12,083.34
EMPLOYEE GROUP HEALTH INSURANCE	
OTHER EXPENSES	1,000,000.00
OTHER INSURANCE AND SURETY BONDS	10,000.00
LOSAP	
OTHER EXPENSES	8,333.34
OFFICE OF EMERGENCY MANAGEMENT	
OTHER EXPENSES	1,291.70
EMPLOYEE'S UNEMPLOYMENT INSURANCE	
OTHER EXPENSES	12,500.00
CELEBRATION OF PUBLIC EVENTS	
OTHER EXPENSES	0.00
SOCIAL SECURITY(O.A.S.I)	138,909.41
<b>TOTAL FOR CURRENT FUND</b>	<b><u><u>5,294,283.11</u></u></b>
<b>SEWR UTILITY FUND</b>	
SALARIES & WAGES	148,609.21
OTHER EXPENSES	309,805.50
M.C.U.A. SEWAGE DISPOSAL CHARGES	791,666.33
SOCIAL SECURITY	11,833.34
<b>TOTAL FOR SEWER UTILITY FUND</b>	<b><u><u>1,261,914.38</u></u></b>
<b>SANITATION FUND</b>	
SALARIES & WAGES	50,000.00
OTHER EXPENSES	175,124.75
SOCIAL SECURITY	16,666.66
DISPOSAL FEES	158,333.67
EMPLOYEE GROUP HEALTH INSURANCE	398,140.67
<b>TOTAL FOR SANITATION FUND</b>	<b><u><u>798,265.75</u></u></b>

**RESOLUTION R.411-072015****Authorizing Overpayment Refund caused by  
Successful Tax Court Appeal**

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

TAXPAYER	<b>JERSEY CENTRAL POWER &amp; LIGHT</b>		
PROPERTY LOCATION	<b>33 BLVD OF THE EAGLES</b>	BLOCK / LOT /	<b>161.V / 10.J</b> QUALIFIER

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

DOCKET #	YEAR	ASSESSMENT	TAX OVERPAYMENT
014588-2011	2011	170,000	1,404.00
015809-2012	2012	170,000	1,418.70
015524-2013	2013	170,000	1,432.80
014471-2014	2014	170,000	1,477.80

**WHEREAS**, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$5,733.30** for the years as listed above.

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$5,733.30**.

**RESOLUTION R.412-072015****RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW-GOVERNMENT FOR  
THE FURNISHING OF TWO (2) SERVERS**

**WHEREAS**, there is a need to purchase two (2) servers; one for the Police Division, and one for the Municipal Complex to replace servers to be relocated offsite for data protection; and

**WHEREAS**, the amount of this purchase shall not exceed \$29,650.00; and

**WHEREAS**, CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 70262 under M-7000/WSCA Computer Contract; 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 \$29,650.00 have been certified to be available in the Information Technology Related Costs Account, Number C-04-14-1872-100-001; 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 \$29,650.00 and any other necessary documents, with CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 70262 under M-7000.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$29,650.00** have been certified to be available Account Number **C-04-14-1872-100-001**.

/s/ Nicholas C. Fargo

Chief Financial Officer

**RESOLUTION R.413-072015**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO AIR BRAKE & EQUIPMENT FOR THE FURNISHING OF AUTOMOTIVE PARTS FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON**

**WHEREAS**, there is a need to purchase automotive parts for heavy duty vehicles for the Township of Edison; and

**WHEREAS**, AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, has been awarded State Contract Number 73722 under T-2085/Automotive Parts for Heavy Duty Vehicles; and

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

**WHEREAS**, the total amount of this contract, not to exceed \$40,000.00, cannot be encumbered at this time; and

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

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

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

**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 \$40,000.00 and any other necessary documents, with AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, 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. 73722 under T-2085.

**RESOLUTION R.414-072015**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO W.W. GRAINGER, INC. FOR THE FURNISHING OF INDUSTRIAL, JANITORIAL AND HARDWARE SUPPLIES FOR THE TOWNSHIP OF EDISON**

**WHEREAS**, there is a need to purchase industrial, janitorial and hardware supplies for the Township of Edison; and

**WHEREAS**, W.W. GRAINGER, INC., 55 Jackson Dr., Cranford, NJ 07016, has been awarded State Contract Number 79875 under M-0002 Industrial/MRO Supplies and Equipment; and

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

**WHEREAS**, the total amount of this contract, not to exceed \$40,000.00, cannot be encumbered at this time; and

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

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

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

**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 \$40,000.00 and any other necessary documents, with W.W. GRAINGER, INC., 55 Jackson Dr., Cranford, NJ 07016, 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. 79875 under M-0002.

**RESOLUTION R.415-072015**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO W.B. MASON COMPANY INCORPORATED FOR OFFICE SUPPLIES**

**WHEREAS**, bids were received by the Township of Edison on June 11, 2015 for Public Bid No.15-12-04-Office Supplies for the Township of Edison; and

**WHEREAS**, W.B. MASON COMPANY INCORP., 59 Centre Street, Brockton, MA 02303, submitted the lowest legally responsible, responsive bidder; and

**WHEREAS**, W.B. MASON COMPANY INCORP. has also been awarded State Contract Number 88839 under T-0052-Office Supplies & Recycled Copy Paper Statewide; and

**WHEREAS**, it is in the best interest of the township to purchase office supplies from W.B. MASON INCORP. utilizing both of these contracts to obtain the best pricing for various items as highlighted on the spreadsheet; and

**WHEREAS**, the total amount of this contract, not to exceed \$75,000.00 cannot be encumbered at this time; and

**WHEREAS**, The amount not to exceed \$55,000.00 will be awarded under the Township Contract Number 15-12-04 and the amount not to exceed \$20,000.00 will be awarded under State Contract Number 88839 under T-0052-Office Supplies & Recycled Copy Paper Statewide; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by W.B. MASON COMPANY INCORPORATED, 59 Centre Street, Brockton, MA 02303 for Office Supplies for the Township of Edison, is determined to be the lowest legally responsible, responsive bid for various items as listed on the spreadsheet and stated herein under Contract No. 15-12-04 and State Contract Number 88839; T-0052-Office Supplies & Recycled Copy Paper Statewide.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$75,000.00 and any other necessary documents, with W.B. MASON COMPANY INCORPORATED as described herein.

**RESOLUTION R.416-072015**

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

**WHEREAS**, bids were received by the Township of Edison on July 7, 2015 for Public Bid No. 15-02-10, Maintenance and Repair of Office Equipment for the Township of Edison; and

**WHEREAS**, DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 submitted the lowest, legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$40,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed and the bid submitted by DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison is determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00 any other necessary documents, with DITTO COPY SYSTEMS as described herein.

**RESOLUTION R.417-072015**

**RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE TO MIDDLESEX COUNTY DEPARTMENT OF PUBLIC SAFETY**

**WHEREAS**, The Township of Edison has determined that they have a 2008 GMC American Emergency Vehicle Type III, Serial No. 1GDJG316581192148 that is no longer needed for public use; and

**WHEREAS**, Local Contracts Law 40A:11-36(2) allows the sale of such property to another contracting unit; and

**WHEREAS**, Middlesex County, Department of Public Safety and Health desires to purchase this vehicle at price of \$1.00; and

**WHEREAS**, this vehicle is to be sold as is; 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, State of New Jersey that the Township of Edison is hereby authorized to sell the 2008 GMC American Emergency Vehicle Type III, Serial No. 1GDJG316581192148 for the sales price of \$1.00 to Middlesex County as indicated herein.

**RESOLUTION R.418-072015**

**WHEREAS**, the New Jersey Local Technical Assistance Program (NJ LTAP), through the Rutgers Center for Advanced Infrastructure and Transportation (CAIT), recently announced that it shall award brand new work zone safety equipment sets to five eligible, local public works or roads departments that lost construction materials to fire, theft, flood, wind damage or other disasters; and

**WHEREAS**, through support from the New Jersey Division of Highway Traffic Safety (DHTS) public works and roads departments that represent New Jersey municipalities and counties can apply to receive one of the said five work zone safety equipment sets from NJ LTAP; and

**WHEREAS**, the Edison Department of Public Works (EDPW) experienced a documented loss of vehicles, equipment and supplies as a result of the fire at the EDPW Garage at 745 New Durham Road earlier this year; and

**WHEREAS**, no in-kind or cash match is required in order for the EDPW to apply for one of the brand new work zone safety equipment sets from NJ LTAP; and

**WHEREAS**, EDPW, will utilize the new work zone safety equipment set awarded it from NJ LTAP as described in its application and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said NJ LYAP application, at a regularly-scheduled Public Meeting on the evening of Wednesday, July 22, 2015.

**RESOLUTION R.419-072015**

**EXPLANATION:** This Resolution authorizes the acceptance and administration of grant funds from the County of Middlesex for the Edison Township Municipal Alliance program.

**WHEREAS**, the Township of Edison (“Township”) has been approved to receive grant funding up to \$77,447.00 from the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex, 2015 Municipal Alliance Program (“Municipal Alliance Program”); and

**WHEREAS**, the Edison Township Municipal Alliance is desirous of accepting those grant funds available from the County of Middlesex to continue to provide alcoholism, drug abuse and tobacco prevention/education programs and awareness activities to the residents of the Township; and

**WHEREAS**, as a condition of receiving the aforementioned grant funding, the Township must match funds, 25% in cash and 75% in kind service; and

**WHEREAS**, pursuant to R.027-012015 adopted on January 14, 2015, the Township appropriated the \$19,361.75 in required matching funds from the 2015 municipal budget; and

**WHEREAS**, these drug prevention services and programs funded with the above-mentioned grant and matching funds under the Municipal Alliance Program provide a significant benefit to the residents of the Township by providing primary prevention and early intervention services to those at risk of developing lifelong addictions or struggling to overcome them, and educating our children to help them avoid falling into the traps of alcoholism, smoking and drug abuse.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, that the appropriate fiscal officer is authorized to accept the funds from the County of Middlesex in connection with the Municipal Alliance Program and make disbursements in accordance with the conditions of the grant of funds to the Township; and the appropriate Township officials are hereby authorized to enter into agreements and contracts with the County of Middlesex and other agencies for implementation of and compliance with the Municipal Alliance Program.

**RESOLUTION R.420-072015**

**EXPLANATION:** This Resolution expresses support for the goals and purposes of the 2004 Highlands Water Protection and Planning Act, *N.J.S.A. 13:20-1 et seq.*

**WHEREAS**, New Jersey Highlands Water Protection and Planning Act, *N.J.S.A. 13:20-1 et seq.* (“Act”) was enacted in order to protect the State’s water supplies and other significant resources; and

**WHEREAS**, the Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

**WHEREAS**, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process; and

**WHEREAS**, the Township of Edison (“Township”) is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region, and the Township relies on the resources of the Highlands Region to meet the current and future needs of its residents.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council hereby wishes that it be known that it strongly supports the goals, policies and objectives of the Act and the Highlands Regional Master Plan.
3. This Resolution shall take effect immediately.

**RESOLUTION R.421-072015**

**EXPLANATION:** This Resolution authorizes the Mayor to execute the attached Developer’s Agreement with Seagis Edison 2170, LLC with respect to the property identified as Block 1120, Lot 63 as shown on the Edison Township tax map.



**WHEREAS**, the property identified as Block 1120, Lot 63 as shown on the Edison Township tax map (the "Property," commonly referred to as 2170 Route 27) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board") made by Seagis Edison 2170, LLC ("Developer") for bulk variance relief and design waivers and the approval of a preliminary and final site plan to permit the construction of a new 923,000 square foot warehouse, to include 356 parking spaces and associated landscaping and signage (the "Project"); and

**WHEREAS**, the Board granted final site plan approval for the Project by resolution memorialized on February 18, 2015 ("Resolution"); and

**WHEREAS**, the Resolution and the Code of the Township of Edison require the developer to enter into a developer's agreement with the Township of Edison ("Township") in connection with the Project; and

**WHEREAS**, the developer's agreement attached hereto between the Township and Developer ("Agreement") has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the signed Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex. A copy of this Resolution and the signed Agreement shall be maintained on file in the offices of the Township Clerk.
3. This Resolution shall take effect immediately.

**RESOLUTION R.422-072015**

**Explanation:** This Resolution awards a Professional Services Contract to Excel Environmental Resources, Inc. to provide environmental consulting, investigation and implementation services.

**WHEREAS**, the Township of Edison ("Township") wishes to conduct an inventory and environmental assessment of potentially contaminated property within its bounds (the "Subject Parcels") because the Township suspects that there has been a discharge of hazardous substances thereon; and

**WHEREAS**, the Township intends to apply to the New Jersey Hazardous Discharge Site Remediation Fund ("HDSRF") for funds to cover the cost of environmental investigations of the Subject Parcels in order to determine the extent or the existence of any hazardous substances thereon, and the potential cost of remediation thereof; and

**WHEREAS**, Excel Environmental Resources, Inc. ("Company") is skilled at and experienced in performing environmental preliminary assessments, site investigations and remedial investigations of industrial properties and has, in fact, successfully performed such assessments and investigations pursuant to HDSRF grants in other New Jersey municipalities; and

**WHEREAS**, the Company can also apply to the State of New Jersey for a HDSRF grant on behalf of the Township without any initial cost to the Township, other than filing fees; and

**WHEREAS**, the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* ("Local Contracts Law") to contract for "professional services" as it may require; and

**WHEREAS**, the municipal council of the Township ("Municipal Council") seeks to authorize the Company to make application for HDSRF grant funds on the Township's behalf and the entering of a contract for professional services with the Company for a one-year term to provide environmental services (*e.g.* implement preliminary assessments, site investigations, remedial investigations and/or remedial actions) ("Services Contract"), with compensation under same conditional upon the receipt of grant funds; and

**WHEREAS**, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, allows for the awarding of a contract for "professional services" without public advertising for bids; and

**WHEREAS**, prior to the execution of the Services Contract, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten percent (10%) interest or larger in the Company has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services

Contract will prohibit an individual with a ten percent (10%) interest or larger in the Company from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, the Services Contract shall not be awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

**WHEREAS**, compensation to the Company for environmental investigation services shall be paid pursuant to the rate schedule attached hereto as *Exhibit A*, contingent upon the Township receiving a HDSRF grant, or grants, towards investigation of the Subject Parcels, which grant funds shall be used in part to pay the Company’s fees; and

**WHEREAS**, the Local Contracts Law requires that contracts awarded without competitive bid be authorized by resolution of the municipal governing body and that notice of the award of such contract be publicly advertised.

**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 herein.
2. The Municipal Council hereby authorizes the Company to make application for HDSRF grant funds in order to conduct preliminary assessments, site investigations, remedial investigations and/or remedial actions for the Subject Parcels.
3. The Mayor and other appropriate Township officials are authorized to execute any and all documents necessary in order to apply for the aforesaid HDSRF grant funds.
4. The Mayor and City Clerk are hereby authorized to execute the Services Contract with the Company, consistent with the terms herein and in a form approved by the Township Attorney.
5. The Services Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
6. The payment of compensation to the Company under the Services Contract shall be contingent upon the Township receiving a HDSRF grant towards investigation and/or remediation of the Subject Parcels. The Company’s fees shall be payable completely or in part from grant funds awarded. The Finance Department shall certify that funds are available prior to the payment of compensation under the Services Contract as to work not covered by grant funds.
7. The Township’s Finance Department is authorized to pay filing fees (\$500 per parcel/application) in connection with the submission of application(s) for HDSRF grant funds, as applicable and/or required.
8. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
9. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, substantially in the form attached hereto as *Exhibit B*, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.
10. The Services Contract has been awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding. It is anticipated that the total compensation to be paid under the Services Contract shall be in excess of \$17,500, but shall not exceed \$100,000. Compensation under the Services Contract shall be paid largely from grant funds awarded.
11. A copy of this Resolution, the Services Contract and the Company’s completed Business Entity Disclosure Certification shall be available for inspection in the office of the Township Clerk.
12. This Resolution shall take effect immediately.

**RESOLUTION R.423-072015**

**Explanation:** This Resolution authorizes payment to the law firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP for legal services pertaining to year 2013.

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

**WHEREAS**, the Firm completed certain legal matters for the Township during year 2013; and

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

**WHEREAS**, the Firm has submitted invoices related to legal services rendered in 2013 in the amount of \$84,387.00 and is due the payment thereof; and

**WHEREAS**, the Township has reviewed such invoices and desires to authorize the payment of same; and

**WHEREAS**, the municipal council of the Township (“Municipal Council”) accepts the Township’s general recommendations as to payment for the Firm’s services.

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township official shall make payment to the Firm in the amount of \$84,387.00 for legal services rendered.

**CERTIFICATION**

I hereby certify that funds in the amount of **\$90,000.00** are available in Account No. \_\_\_\_\_.

/s/ Nicholas Fargo  
CFO

**RESOLUTION R.424-072015**

**Explanation:** This Resolution authorizes Excel Environmental Resources, Inc. apply for grant funding from the New Jersey Department of Environmental Protection for preliminary assessment, site investigation, remedial investigation and remedial action at the property located at 135 Whitman Avenue, Edison (Muller Site).

**WHEREAS**, the State of New Jersey Department of Environmental Protection (“NJDEP”), through the Hazardous Discharge Site Remediation Fund, has grant funds available to municipalities for the purpose of funding preliminary assessments, site investigations, remedial investigations, and/or remedial actions to determine the existence or extent of hazardous substance discharge conditions on properties; and

**WHEREAS**, the Township of Edison (“Township”) wishes to conduct preliminary assessment, site investigation, remedial investigation and/or remedial action activities with respect to the following parcel(s): Block 199.A, Lot 31.A1 on Whitman Avenue in Edison, New Jersey; and

**WHEREAS**, Excel Environmental Resources, Inc. is qualified to prepare and submit all applications for such funding; and

**WHEREAS**, the Municipal Council of the Township (“Municipal Council”) finds that a realistic opportunity exists for redevelopment within a three year period after the completion of the remediation of this site; and

**WHEREAS**, the Township of Edison holds a tax lien over the subject property.

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

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

14. The Municipal Council hereby authorizes and directs Excel Environmental Resources, Inc. to apply for grant funding in order to conduct preliminary assessments, site investigations, remedial investigations and/or remedial actions for the above-described parcels.

15. The Mayor and other appropriate Township Officials are authorized to execute any and all documents necessary in order to apply for the aforesaid grant.

16. In the event that funding is approved pursuant to a grant issued in favor of the Township, Excel Environmental Resources, Inc. shall be authorized and directed to implement preliminary assessments, site investigations, remedial investigations and/or remedial actions for the above described parcels in accordance with a contract to be approved by the Township and the NJDEP, but only to the extent that NJDEP grant funds are available for payment for the aforesaid services.

17. This Resolution shall take effect immediately.

**RESOLUTION R.425-072015**

**EXPLANATION:** This resolution provides for refund of Construction Fees.

**WHEREAS,** on April 17, 2015 a Construction fee was paid, check #1814, Construction permit #2014-3383, was posted in the total amount of \$150.00 by the homeowner, Shilpa Pandya, residing at 20 Arbor Circle, NJ 08837.

**WHEREAS,** the permit fees were paid for but then was discovered the resident had paid twice for the same permit.

**WHEREAS,** the Township Engineer recommends the refund of the Construction fee, on Permit # 2014-3383 in the amount of \$150.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$150.00 on construction permit fees posted by Shilpa Pandya, be refunded to the resident;

**BE IT FURTHER RESOLVED,** that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the owner, Shilpa Pandya, 20 Arbor Circle, Edison, NJ 08817.

**RESOLUTION R.426-072016**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond #11-041 Account 7760275127 to Yi Tang (Hua Kang Health Center Service) 1609 Rt. 27, Edison, NJ, 08817

**WHEREAS,** on May 30, 2011 Yi Tang posted Tree Maintenance Bond fees in the amount of \$2,475.00 on deposit with the Township of Edison in account #7760275127 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #11-041 for property located at 1609 Rt. 27, Edison

**WHEREAS,** an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

**WHEREAS,** it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,475.00, 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 \$2,475.00 Herein above 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 \$2,475.00, on deposit in Account #7760275127 to Yi Tang (Hua Kang Health Center Service) having an address of 1609 Rt. 27, Edison, NJ 08817

**RESOLUTION R.427-072015**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond to Ashwanni Kumar, 411 Plainfield Road Edison, NJ 08820 Permit 12-116 Account # 77625757071

**WHEREAS,** on May 6, 2013 Ashwanni Kumar posted Tree Maintenance Bond fees in the amount of \$3,150.00 on deposit with the Township of Edison in account #77625757071 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #12-116 for property located at 411 Plainfield Road

**WHEREAS,** an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

**WHEREAS,** it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$3,150.00, 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 \$3,150.00 Herein above mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED,** that the Acting Director of Finance be and is hereby authorized to refund the sum of \$3,150.00, on deposit in Account #77625757071 to Ashwanni Kumar having an address of 411 Plainfield Road, Edison, NJ 08820.

**RESOLUTION R.428-072015**

**WHEREAS**, on May 27, 2015, a Construction Permit was issued for a Sunroom Enclosure and removal of a 2<sup>nd</sup> kitchen, relocate laundry room from garage and fire restoration and the Fees were posted on May 27, 2015 in the amount of \$913.00 by homeowner Nimisha Patel for 877 Inman Ave, Edison, NJ 08820;

**WHEREAS**, the resident over paid \$100.00, a computer miscalculated.

**WHEREAS**, it is therefore appropriate that the fee in the amount of \$100.00 be refunded to the Homeowner, and

**WHEREAS**, the Director of Engineering and Code Enforcement recommends the refund in the Amount of \$100.00 for the above referenced application,

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the Sum of \$100.00 posted by Nimisha Patel for 877 Inman Ave, Edison, NJ 08820.

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund to The applicant.

**RESOLUTION R.429-072015**

**EXPLANATION:** This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

**WHEREAS**, on February 6, 2015, a Construction (Building, Electrical and Plumbing) Permit fee, Credit Card Payment, Visa 1158, approval code 006262 , permit #2015-0450, was posted in the total amount of \$712.00 by the contractor, White Construction, of 10 Desser Place, Edison, NJ 08817; and

**WHEREAS**, the application was submitted for kitchen renovation at 22 Agatha Drive, Edison, NJ 08817, by the hired contractor who was unaware of the Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a senior resident it is therefore appropriate that the municipal permit fee in the amount of \$712.00 total construction permit fee less the \$37.00 DCA fee, be refunded to the CONTRACTOR, White Construction of 10 Desser Place Edison, NJ 08817

**WHEREAS**, the Township Director of Planning and Engineering recommends the refund of the municipal permit fee, on Construction Permit #2015-0450, in the amount of \$675.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$675.00 on construction permit fees posted by White Construction, for 22 Agatha Drive, Edison, NJ 08817 be refunded to the Homeowner;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$675.00 from the Refund of Revenue Fund to the Homeowner, Ann & Paul Battaglia at 22 Agatha Drive, Edison, NJ 08817.

**RESOLUTION R.430-072015**

**WHEREAS**, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by NJ Golf Foundation for a project located at Plainfield Country Club, Edison , N.J. 08820 in Block 401, Lot 16 & 4.01 and Application #P5-2014 ; and

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

**WHEREAS**; on May 14, 2014 , NJ Golf Foundation posted fees on deposit with the Township of Edison in the account # 7763090740 for Developers Escrow Fees; and

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

**WHEREAS**; it is now in order that the sum \$ 0 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to NJ Golf Foundation; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON** that the sum of \$0 plus accrued interest, if applicable be refunded to NJ Golf Foundation , 255 Old New Brunswick Road , Piscataway, NJ 08854

**BE IT FURTHER RESOLVED** that the Director of Finance be and is hereby authorized to refund the sum of \$ 0 plus accrued interest, if applicable, in account #7763090740 to the applicant.

**RESOLUTION R.431-072015**

**EXPLANATION:** Resolution Refunding Tree Maintenance Bond to Sudhir Upadhyay Site Plan Tree Plantings at 58 Utica Road under Tree Permit No. 10-098.

**WHEREAS,** on April 17, 2012 Sudhir Upadhyay posted Tree Maintenance Bond fees in the amount of \$900.00 on deposit with the Township of Edison in account #7761963631 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-098 for property located at 58 Utica Road

**WHEREAS,** an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for the required two year maintenance period; and

**WHEREAS,** it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$900.00, plus accrued interest, if applicable, 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 \$900.00 plus accrued interest, if applicable, hereinabove mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED,** that the Acting Chief Financial Officer of Finance be and is hereby authorized to refund the sum of \$900.00, plus accrued interest, if applicable, on deposit in Account #7761963631 to Sudhir Upadhyay having an address of 58 Utica Road, Edison, N.J. 08820.

**RESOLUTION R.432-072015**

**EXPLANATION:** Resolution of Support (Concurrence) for a Traffic Regulation Order establishing “No Passing Zones” on NJ State Highway Route 27.

**WHEREAS,** the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on NJSH Route 27 in Edison Township, Middlesex County; and

**WHEREAS,** the NJDOT investigation revealed the current centerline pavement markings on NJSH Route 27 conform to current design standards; and

**WHEREAS,** the NJDOT will update existing records to reflect current No Passing Zone conditions along NJSH Route 27;

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON,** in the State of New Jersey, that it supports the use of a “No Passing Zone” on NJSH Route 27 in Edison Township as recommended by NJDOT.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

**RESOLUTION R.433-072015**

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE TOWNSHIP’S AGREEMENT WITH THE COUNTY OF MIDDLESEX FOR THE MILLING AND RESURFACING OF WOODLAND AVENUE**

**WHEREAS,** resolution R.319-052015 dated May 13, 2015 authorized an agreement with the County of Middlesex for the milling and resurfacing of Woodland Avenue in the amount not to exceed \$100,000.00; and

**WHEREAS,** the actual cost of the project exceeded the estimate by \$2,302.97 for a total amount of \$102,302.97; and

**WHEREAS,** the Township recommends authorization of the additional funds of \$2,302.97; 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, in the County of Middlesex, New Jersey, that the agreement with Middlesex County is hereby amended in the amount of \$2,302.97 for a total amount of \$102,302.97 as stated herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that the additional funds in the amount of **\$2,302.97** are available for the above in account number **C-04-15-1899-290-000**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.434-072015**

Explanation: A Resolution authorizing the grant of certain funds from the Township's Affordable Housing Emergency Generator Program in the amount of \$72,631.35 to Kilmer Homes I, LP.

**WHEREAS**, by Resolution dated February 25, 2015 the Township Council approved, authorized and established an Emergency Generator Program for the purchase and installation of emergency generators pursuant to N.J.A.C. 5:97-8.8(a) by certain qualified applicants and committed \$500,000 from the Township's Affordable Housing Trust Fund for this purpose; and

**WHEREAS**, the Township Council also approved and adopted a Manual at that time for the Emergency Generator Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such work under the Program; and

**WHEREAS**, an application to participate in the Program was submitted by Kilmer Homes I, L.P. and was reviewed and deemed complete and in compliance with the Program requirements; and

**WHEREAS**, the Township Council desires to award a grant to Kilmer Homes I, L.P. in the amount of \$72,631.35 for the purchase and installation of an emergency generator under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and Kilmer Homes I, L.P. with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$72,631.35 from the Township's Affordable Housing Trust Fund with respect to the Township's Emergency Generator Program, to Kilmer Homes I, L.P., c/o The Alpert Group, One Parker Plaza, Fort Lee, NJ 07024 for the purchase and installation of an emergency generator, and authorizes the execution of an Agreement with Kilmer Homes I, L.P. with respect to such grant.
2. An original copy of this resolution shall be forwarded to the Municipal Housing Liaison.

**RESOLUTION R.435-072015**

Explanation: A Resolution authorizing the grant of certain funds from the Township's Affordable Housing Emergency Generator Program in the amount of \$72,631.35 to Kilmer Homes II, LP.

**WHEREAS**, by Resolution dated February 25, 2015 the Township Council approved, authorized and established an Emergency Generator Program for the purchase and installation of emergency generators pursuant to N.J.A.C. 5:97-8.8(a) by certain qualified applicants and committed \$500,000 from the Township's Affordable Housing Trust Fund for this purpose; and

**WHEREAS**, the Township Council also approved and adopted a Manual at that time for the Emergency Generator Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such work under the Program; and

**WHEREAS**, an application to participate in the Program was submitted by Kilmer Homes I, L.P. and was reviewed and deemed complete and in compliance with the Program requirements; and

**WHEREAS**, the Township Council desires to award a grant to Kilmer Homes II, L.P. in the amount of \$72,631.35 for the purchase and installation of an emergency generator under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and Kilmer Homes II, L.P. with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$72,631.35 from the Township's Affordable Housing Trust Fund with respect to the Township's Emergency Generator Program, to Kilmer Homes II, L.P., c/o The Alpert Group, One Parker Plaza, Fort Lee, NJ 07024 for the purchase and installation of an emergency generator, and

- authorizes the execution of an Agreement with Kilmer Homes II, L.P. with respect to such grant.
- 2. An original copy of this resolution shall be forwarded to the Municipal Housing Liaison.

**RESOLUTION R.436-072015**

**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 STO0000168, to the following:

<b>Permit Number:</b>	<b>0610</b>
<b>Opening Location:</b>	<b>51 Sharon Avenue</b>
<b>Block/Lot:</b>	<b>265.D/12</b>
<b>Applicant’s Name &amp; Address:</b>	<b>Silagy Contracting, LLC</b> <b>614 Old Post Road</b> <b>Edison, NJ 08817</b>
<b>Initial Deposit Date:</b>	<b>06/25/15</b>
<b>Deposit Amount:</b>	<b>\$480.00</b>
<b>Paid by &amp; refunded to:</b>	<b>Joann Pena</b> <b>Ulysses Pena</b> <b>86 Craig Street</b> <b>Edison, NJ 08817</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.437-072015**

**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 STO0000144, to the following:

<b>Permit Number:</b>	<b>0219</b>
<b>Opening Location:</b>	<b>3 Wright Street</b>
<b>Block/Lot:</b>	<b>16202/1.02</b>
<b>Applicant’s Name &amp; Address:</b>	<b>KL Services LLC</b> <b>222 Wilson Road</b> <b>Somerset, NJ 08873</b>
<b>Initial Deposit Date:</b>	<b>12/16/14</b>
<b>Deposit Amount:</b>	<b>\$648.00</b>
<b>Paid by &amp; refunded to:</b>	<b>Fox &amp; Foxx Development, LLC</b> <b>Operating Account</b> <b>940 Amboy Ave., Suite 101</b> <b>Edison, NJ 08837</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.438-072015**



**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO MCNEILUS TRUCK AND MANUFACTURING CO. FOR AUTOMATED REFUSE COLLECTION SYSTEM PARTS (HEIL & MCNEILUS)**

**WHEREAS**, bids were received by the Township of Edison on June 30, 2015 for Public Bid No. 15-08-21R-Automated Refuse Collection System Parts (Heil & McNeilus) for the Department of Public Works; and

**WHEREAS**, MCNEILUS TRUCK AND MANUFACTURING CO., 524 E. Highway St., Dodge Center, MN 55927 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$20,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by MCNEILUS TRUCK AND MANUFACTURING CO., 524 E. Highway St., Dodge Center, MN 55927 Automated Refuse Collection System Parts (Heil & McNeilus) for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00 and any other necessary documents, with MCNEILUS TRUCK AND MANUFACTURING CO. as described herein.

**RESOLUTION R.439-072015**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO MID ATLANTIC WASTE SYSTEMS FOR AUTOMATED REFUSE COLLECTION SYSTEM PARTS (HEIL & MCNEILUS)**

**WHEREAS**, bids were received by the Township of Edison on June 30, 2015 for Public Bid No. 15-08-21R-Automated Refuse Collection System Parts (Heil & McNeilus) for the Department of Public Works; and

**WHEREAS**, MID ATLANTIC WASTE SYSTEMS, 3011 W. Second St., Chester, PA 19013 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$25,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by MID ATLANTIC WASTE SYSTEMS, 3011 W. Second St., Chester, PA 19013 Automated Refuse Collection System Parts (Heil &

McNeilus) for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.

2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 and any other necessary documents, with MID ATLANTIC WASTE SYSTEMS as described herein.

**RESOLUTION R.441-072015**

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING OF ELECTRICAL SERVICES WITH TSUJ CORPORATION IN AN AMOUNT NOT TO EXCEED \$40,000.00**

**WHEREAS, TSUJ CORPORATION, P.O. Box 4621, Wayne, NJ 07474** was awarded Contract No. 14-07-01 ELECTRICAL SERVICES, through Resolution R.639-112014 for the period November 30, 2014 to December 1, 2015 in the amount of \$30,000.00 and that amount has been depleted; and

**WHEREAS, the contract agreement allows for authorization of additional funds to complete the term of the contract; and**

**WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$40,000.00 to replenish and complete the one year term of the contract with TSUJ CORPORATION, with all prices as well as all terms and conditions to remain the same until such time the contract expires or we award a new contract; and**

**WHEREAS, the total amount of this contract, not to exceed \$40,000.00, cannot be encumbered at this time; and**

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

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

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

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$40,000.00 and any other necessary documents with TSUJ CORPORATION described herein.

**RESOLUTION R.442-072015**

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING OF EMERGENCY PUMP STATION REPAIRS WITH NORTHEAST FLUID POWER CO. II, INC., IN AN AMOUNT NOT TO EXCEED \$70,000.00**

**WHEREAS, NORTHEAST FLUID POWER CO. II, INC., 40A Stern Ave., Springfield, NJ 07081** was awarded Contract No. 14-01-05-Emergency Pump Station Repairs, through Resolution R.135-032014 for the period April 8, 2014 to April 7, 2015 in the amount of \$150,000.00 and that amount has been depleted; and

**WHEREAS, the Township is in the process of awarding the new Emergency Pump Station Repairs contract but needs additional funds until the paperwork is complete and the new contract will be in effect; and**

**WHEREAS, the Township recommends an additional amount not to exceed \$70,000.00 with all prices as well as all terms and conditions to remain the same; and**

**WHEREAS, the total amount of this contract, not to exceed \$70,000.00, 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 the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$70,000.00 and any other necessary documents with NORTHEAST FLUID POWER CO. II, INC., described herein.

**RESOLUTION R 443-072015**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO A.C. SCHULTES, INC. FOR EMERGENCY PUMP STATION REPAIRS**

**WHEREAS**, bids were received by the Township of Edison on April 7, 2015 for Public Bid No. 15-01-05-Emergency Pump Station Repairs for the Department of Public Works; and

**WHEREAS**, A.C. SCHULTES, INC., 664 South Evergreen Ave., Woodbury Heights, NJ 08097 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$150,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by A.C. SCHULTES, INC., 664 South Evergreen Ave., Woodbury Heights, NJ 08097 for Emergency Pump Station Repairs for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$150,000.00, and any other necessary documents, with A.C. SCHULTES, INC. as described herein.

**RESOLUTION R.444-072015**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO BCI BURKE COMPANY LLC FOR THE PURCHASE OF FIFTEEN (15) PICNIC TABLES FOR EDISON TOWNSHIP RECREATION PARKS DEPARTMENT**

**WHEREAS**, there is a need for fifteen (15) 8 ft. picnic tables for the Recreation Parks Department; and

**WHEREAS**, BCI BURKE COMPANY LLC, PO Box 549, Fond Du Lac, WI 54936-0549, has been awarded State Contract Number 81430 under T-0103 PARK AND PLAYGROUND EQUIPMENT, PARTS AND INSTALLATION; 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 maximum amount of the purchase shall not exceed \$9,369.55; and

**WHEREAS**, funds in the amount of \$9,369.55 have been certified to be available in the Improvement to Parks Account, number C-04-03-1352-382-004; 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 \$9,369.55, and any other necessary documents, with BCI BURKE COMPANY LLC 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. 81430 under T-0103.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$9,369.55** are available for the above in account number **C-04-03-1352-382-004**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.445-072015**

**RESOLUTION AWARDING CONTRACT TO  
KENNEDY EVENT SERVICES FOR THE TOWNSHIP OF EDISON  
2015 FALL SPECTACULAR**

**WHEREAS**, the Township of Edison advertised on the Township website a request for proposals on May 28, 2015 for RFP 15-07 EVENT SERVICES with a bid opening date of June 10, 2015, and one (1) proposal was received; and

**WHEREAS**, after review and evaluation of the sole proposal, it has been recommended by the Township that the contract be awarded to KENNEDY EVENT SERVICES, 24 Cokesbury Road, Suite 12, Lebanon, NJ 08833 at a maximum amount of the purchase not to exceed \$12,786.36; and

**WHEREAS**, funds in the amount of \$12,786.36 have been certified to be available in the Celebration of Public Events Expense account number 5-01-30-0420-000-020; 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 bid has been reviewed, and the proposal submitted by KENNEDY EVENT SERVICES, 24 Cokesbury Road, Suite 12, Lebanon, NJ 08833 for the Township 2015 Fall Spectacular celebration, is determined to be the lowest, legally responsible, responsive bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$12,786.36, and any other necessary documents, with KENNEDY EVENT SERVICES as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$12,786.36** are available for the above in account number **5-01-30-0420-000-020**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.446-072015**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ABSOLUTE FIRE PROTECTION COMPANY FOR EMERGENCY VEHICLE REPAIRS**

**WHEREAS**, bids were received by the Township of Edison on June 30, 2015 for Public Bid No.15-10-02-Emergency Vehicle Repairs for the Township of Edison; and

**WHEREAS**, ABSOLUTE FIRE PROTECTION COMPANY, 2800 Hamilton Blvd., South Plainfield, NJ 07080 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the total amount of this contract, not to exceed \$250,000.00 cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by ABSOLUTE FIRE PROTECTION COMPANY, 2800 Hamilton Blvd., South Plainfield, NJ 07080 for Emergency Vehicle Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$250,000.00 any other necessary documents, with ABSOLUTE FIRE PROTECTION COMPANY as described herein.

**RESOLUTION R.447-072015**

**Resolution Authorizing an Edison Division of Police KMM Pilot Program for Removable Crosswalk Flags at various Intersections throughout the Township of Edison**

**WHEREAS**, the Township of Edison wishes to improve pedestrian safety by increasing their visibility at crosswalks and intersections; and

**WHEREAS**, removable crosswalk flags increase the visibility and safety of pedestrians as they conspicuously hold and wave them while crossing from one side of a public intersection to the other; and

**WHEREAS**, Keep Middlesex Moving, Inc. (KMM), as the official Middlesex County not-for-profit Transportation Management Association (TMA), shall provide highly-visible, orange, day-glow, hand-held crosswalk flags to the Township of Edison Division of Police at no cost; and

**WHEREAS**, the KMM Pilot Program for Removable Crosswalk Flags has been successfully implemented in other Middlesex County municipalities, such as: Metuchen, Piscataway, South Amboy and Perth Amboy; and

**WHEREAS**, the Township of Edison Division of Police desires to implement a pilot program to introduce said crosswalk flags at the following intersections throughout the community: 1) Amboy Avenue near Pleasant Avenue; 2) Amboy Avenue near Our Lady of Peace RC Church; 3) James Street near JFK Hospital; 4) Grove Avenue near Minnie E. Veal Community Center; 5) Oak Tree Road near Minebrook Road; 6) State Route 27 near Division Street.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby approve and authorize the development and submission of an application to the 2015 Keep Middlesex Moving Pilot Program for Removable Pedestrian Crosswalk Flags, as well as their utilization at the above-cited intersections throughout the community, at a regularly-scheduled, Public Meeting on Wednesday, July 22, 2015.

**RESOLUTION R.448-072015**

***DRIVE SOBER OR GET PULLED OVER  
2015  
Labor Day Crackdown  
Grant Application***

**WHEREAS**, the Division of Police will apply for grant funding in the amount of \$5,000.00 to provide additional manpower hours to enforce DWI Laws; and

**WHEREAS**, in 2012, nationwide, alcohol related fatalities from traffic accidents increased; and

**WHEREAS**, an enforcement crackdown is planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

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

**WHEREAS**; the project will involve increased enforcement from August 21 through September 7, 2015; and

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

**THEREFORE**, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to apply for the grant, Drive Sober or Get Pulled Over 2015 Labor Day Crackdown between August 21, 2015 – September 7, 2015 and pledges to increase awareness of DWI Laws.

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

**RESOLUTION R.449-072015**

***2016 Pedestrian Safety Enforcement and Education  
Grant Approval***

**WHEREAS**, the Division of Police has been approved for grant funding in the amount of \$16,500.00 to provide additional manpower hours to educate the public in pedestrian laws, increased enforcement of traffic laws, and additional signage; and

**WHEREAS**, in 2009, 4,092 pedestrians were killed in traffic accidents in the United States and more than 60,000 pedestrians were injured; and

**WHEREAS**, between 2009 – 2014, 16 pedestrians have lost their lives on Edison roadways, and

**WHEREAS**, an enforcement crackdown is planned to combat traffic violations related to pedestrian laws; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has approved several law enforcement agencies throughout the State to participate in the Pedestrian Safety Grant; and

**WHEREAS**; the project will involve increased enforcement and education from July 1, 2015 through June 30, 2016; and

**WHEREAS**; an increase in education and enforcement will save pedestrians lives on our roadways;

**THEREFORE**, be it resolved that the Edison Township Council and the Division of Police declares it's acceptance of the grant and supports our participation in *The Pedestrian Safety Grant Program FY 2016* from July 1, 2015 through June 30, 2016 and pledges to increase awareness of pedestrian safety laws.

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

**RESOLUTION R.450-072015**

**RESOLUTION APPROVING PARTICIPATION IN 2015 NJ STATE BODY ARMOR REPLACEMENT  
GRANT FUNDING PROGRAM**

**WHEREAS**, the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund initiative is designed to provide valuable lifesaving equipment to local law enforcement officers; and

**WHEREAS**, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers of the Edison Police Department; and

**WHEREAS**, this vest replacement grant program demonstrates the Edison Police Department's commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

**THEREFORE, BE IT RESOLVED** that the Township of Edison wishes to participate to the fullest extent in the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund grant funding program.

**RESOLUTION R.451-072015****RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO KUSTOM SIGNALS, INC., FOR THE SERVICE, REPAIR AND REPLACEMENT FOR OUT OF WARRANTY MOBILE VIDEO RECORDERS FOR THE DIVISION OF POLICE**

**WHEREAS**, the Edison Police Division is in need of Service, Repair and Parts Replacement for out of warranty mobile video recorders; and

**WHEREAS**; these recorders are designed to provide an audio and video recording of traffic stops, pursuits, D.U.I. tests, etc.; and

**WHEREAS**, we currently own approximately fifty (50) Kustom Signal brand mobile video recorders and this equipment is proprietary to KUSTOM SIGNALS, INC., 9652 Loriet Blvd., Lenexa, KS 66219 and Kustom Signals, Inc., is the sole vendor for this equipment; 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**, KUSTOM SIGNALS, INC., 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 KUSTOM SIGNALS, INC. from making any reportable contributions through the term of the contract.

**WHEREAS**, the total amount of this contract, not to exceed \$7,500.00, 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, that the Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$7,500.00, with KUSTOM SIGNALS, INC., 9652 Loriet Blvd., Lenexa, KS 66219 as set forth above.

**RESOLUTION R.452-072015**

**WHEREAS**, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on September 18, 2015; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on September 18, 2015, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 22, 2015.

**LICENSE NUMBER      LICENSEE AND LOCATION      ADDRESS**

1205-33-001-009	GMRI, Inc t/a Seasons 52	Edison, NJ 08837
1205-33-002-006	Sura Holdings, LLC t/a The Rosewood Manor 2863 Woodbridge Avenue	Edison, NJ 08837
1205-33-003-002	Chestnut Inn, Inc.	Edison, NJ 08817

	t/a Chestnut Inn 1905 Woodbridge Avenue	
1205-33-004-005	Akaibana Restaurant, Inc. t/a Benihana of Edison 60 Parsonage Road	Edison, NJ 08837
1205-33-006-006	Anthony's Coal Fired Pizza t/a Anthony's Coal Fired Pizza 80 Parsonage Road	Edison, NJ 08837
1205-33-007-005	The DK Family, Inc. t/a The Edison Diner 101 U.S. Highway 1	Edison, NJ 08817
1205-33-010-004	New Orleans Liquor, LLC t/a Skylark Diner 17 Wooding Avenue	Edison, NJ 08817
1205-33-011-009	Pine Liquor License LLC t/a Pines Manor 2085 Route 27	Edison, NJ 08817
1205-33-015-015	Edison Land Investment, LLC 400 Plaza Drive	Secaucus, NJ 07094 POCKET LICENSE
1205-33-016-009	Rainforest Café, Inc. t/a Rainforest Café Menlo Park Mall	Edison, NJ 08837
1205-33-018-004	Cheesecake Factory Rest., Inc. t/a Cheesecake Factory 100 Menlo Park	Edison, NJ 08837
1205-33-019-010	CB Edison, LLC t/a Charlie Brown's Steakhouse 222 Plainfield Road	Edison, NJ 08820
1205-33-020-010	Apple Food Services t/a Applebee's Neighborhood Grill & Bar 1045 Route 1 South	Edison, NJ 08817
1205-33-022-005	Aum Bar & Grill, LLC t/a Elixer Bar & Grill 2220 Woodbridge Ave.	Edison, NJ 08817
1205-33-023-006	Mac Acquisition, LLC t/a Romano's Macaroni Grill 1521 Route 1	Edison, NJ 08837
1205-33-024-001	Plainfield Country Club 1591 Woodland Avenue	Edison, NJ 08820
1205-33-025-008	Last Call Operating Co.II, Inc t/a Champps	Edison, NJ 08837 INACTIVE
1205-33-027-007	Nordstrom, Inc. t/a Café Nordstrom 449 Menlo Park	Edison, NJ 08837
1205-33-028-007	Savi Enterprises, LLC T/A Mirage Banquet Hall 1655/130 - 155 Oak Tree Road	Edison, NJ 08820
1205-33-029-005	Akbar Lounge, LLC t/a Akbar Lounge 21 Cortland Street	Edison, NJ 08837
1205-33-030-005	Edison Land Investment, LLC 400 Plaza Drive	Secacus, NJ 07096 POCKET LICENSE
1205-33-031-004	Kamini, LLC 1689 Oak Tree Road	Edison, NJ 08820 INACTIVE



1205-33-032-004	Brinker New Jersey, Inc. T/A Chili's Southwest Grill & Bar 1671 Oak Tree Road	Edison, NJ 08820
1205-33-035-006	Elio's Inc. t/a Elio's Ristorante 1065-67 Inman Avenue	Edison, NJ 08820
1205-33-049-007	Outback Steakhouse of FL t/a Outback Steakhouse 481 US Highway 1	Edison, NJ 08817
1205-33-058-003	Fox and Hound of NJ, Inc. t/a Fox and Hound Pub & Grille 250 Menlo Park Drive	Edison, NJ 08837
1205-33-062-003	QSL of Edison, LLC t/a Quaker Steak & Lube 561 U.S. Route 1	Edison, NJ 08817
1205-33-063-003	American Multi-Cinema, Inc. t/a AMC Theaters Menlo Park 55 Parsonage Road, Suite 390	Edison, NJ 08837

**RESOLUTION R.453-072015**

**WHEREAS**, applications have be made for the renewal of Plenary Retail Distribution Licenses, issued by the Municipal Council of the Township of Edison, expiring on September 18, 2015; and

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

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

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the following Plenary Retail Distribution Licenses expiring on September 18, 2015, for which the required fee \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 22, 2015.

<b><u>LICENSE NUMBER</u></b>	<b><u>LICENSEE AND LOCATION</u></b>	<b><u>ADDRESS</u></b>
1205-44-012-006	888 Route 22, Inc t/a The Liquor Locker/Super Saver Liquors 1701 Oak Tree Road	Edison, NJ 08820
1205-44-021-005	Costco Wholesale Corporation 2210 Route 27 North	Edison, NJ 08817
1205-44-036-006	YT & T Inc. t/a Harvest Wines & Spirits 2370 Woodbridge Avenue	Edison, NJ 08817
1205-44-059-002	VW & Sons, Inc. t/a Plaza Discount Wines & Spirits 561 US Route 1	Edison, NJ 08817
1205-44-061-002	YSS & D Inc. t/a Edison Discount Wine & Spirits 144-146 Talmadge Road	Edison, NJ 08817
1205-44-064-004	Rishrik, LLC t/a Wineoland 1199 Amboy Avenue	Edison, NJ 08837
1205-44-067-001	Wine Amphorae East Brunswick, LLC t/a Wine Amphorae 883 Rt. 1 South	Edison, NJ 08817

**RESOLUTION R.454-072015**

**WHEREAS**, applications have be made for the renewal of Club Licenses, issued by the Municipal Council of the Township of Edison, expiring on September 18, 2015; and

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

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

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the following Club Licenses expiring on September 18, 2015, for which the required fee \$150.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 22, 2015.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-037-001	American Legion #435 43 Oakland Ave.	Edison, NJ 08817
1205-31-038-001	American Legion #324 156 Brower Ave.	Edison, NJ 08837
1205-31-039-001	Columbian Club of Edison 71 Council Place	PO Box 213 Edison, NJ 08818
1205-31-042-001	Italian American Club of Edison 1997 Woodbridge Avenue	Edison, NJ 08817
1205-31-045-001	Metuchen Golf & Country Club 244 Plainfield Road	Edison, NJ 08820
1205-31-046-001	Loyal Order of Moose Edison Lodge 1978 410 Talmadge Road	Edison, NJ 08817
1205-31-047-001	Raritan Riverboat Club, Inc. Thompson Place	PO Box 1288 Edison, NJ 08817

**RESOLUTION R.455-072015**

**WHEREAS**, applications have be made for the renewal of Plenary Retail Consumption Licenses (Hotel/Motel) , issued by the Municipal Council of the Township of Edison, expiring on September 18,2015; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses [Hotel/Motel] expiring on September 18, 2015, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 22, 2015.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-053-005	Restaurant Route 27, LLC t/a Crowne Plaza Edison 2055 Lincoln Highway	Edison, NJ 08817
1205-36-056-003	Hersha Hospitality Management t/a Hilton Garden Inn Edison/Raritan 50 Raritan Center Parkway	Edison, NJ 08837
1205-36-065-001	BPG Hotel XXIII Owner, LLC t/a Sheraton Edison Hotel 125 Raritan Center Parkway	Edison, NJ 08837
1205-36-066-001	Ashford TRS Sapphire V, LLC t/a Courtyard by Marriott 3105 Woodbridge Avenue	Edison, NJ 08837

**RESOLUTION R.457-072015**

**EXPLANATION:** A Resolution authorizing the refunding of public entertainment permit application fees to the Pakistan American Council and Pakistan Parade Committee of New Jersey, due to their re-submission of new applications with respect to the Pakistan Day Parade.

**WHEREAS,** the Township of Edison (“Township”) regulates the use of its park facilities by groups, associations and organizations for picnics, parties or theatrical or entertainment performances through the issuance of permits issued pursuant to Section 24-2 *et seq.* of its Code of Ordinances; and

**WHEREAS,** the Pakistan American Council (“P.A.C.”) and the Pakistan Parade Committee of New Jersey (“P.P.C.N.J.” and, together with the P.A.C., the “Permittees”) each submitted an ‘Application for Public Entertainment Permit’ (“Application”) to the Township to receive a permit to hold an event and parade in August 2015 to celebrate Pakistan’s independence day (“Pakistan Day Parade”); and

**WHEREAS,** P.A.C. (thru A&M Plumbing & Heating) and P.P.C.N.J. (thru Mohammad A. Zubair MD LLC) each paid the required permit application fee of \$1,000.00 in connection with the submission of their respective Applications; and

**WHEREAS,** the Permittees have withdrawn their Applications in order to submit new Applications and have requested that the Township return their respective application fees; and

**WHEREAS,** the municipal council of the Township (“Municipal Council”) desires to return the application fee(s) paid by each of the Permittees.

**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 finance department is hereby authorized to refund \$1,000.00 to P.A.C. (to be made payable to A&M Plumbing & Heating), representing the full amount of the permit application fee previously paid and submitted with its Application concerning the Pakistan Day Parade.
3. The Township finance department is hereby authorized to refund \$1,000.00 to P.P.C.N.J. (to be made payable to Mohammad A. Zubair MD LLC), representing the full amount of the permit application fee previously paid and submitted with its Application concerning the Pakistan Day Parade.
4. This Resolution shall take effect immediately.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah and Council President Diehl

NAYS - None

The following Resolutions will be voted upon separately:

**RESOLUTION R.440-072015**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE LEAF BAGS FROM DANO ENTERPRISES THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM #2SOCCP**

**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,** Dano Enterprises, 76 Progress Dr., Stanford, CT 06902, was awarded Contract Number CC-0044-13 for the purchase of leaf bags through the Somerset County Cooperative Pricing System #2SOCCP; and

**WHEREAS,** the Township of Edison wishes to purchase leaf bags through this cooperative pricing system; and

**WHEREAS,** the amount of this purchase will be 200,000 bags at .325 per bag for a not to exceed amount of \$65,000.00; and

**WHEREAS,** funds in the amount of \$65,000.00 have been certified to be available in the Sanitation-Operating-Supplies-General Account, Number 5-09-55-0800-001-210; 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, in the amount of \$65,000.00 with Dano Enterprises, 76 Progress Dr., Stanford, CT 06902, the approved Somerset County Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Somerset County Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$65,000.00** are available for the above contract in Account No. **5-09-55-0800-001-210**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

Council President Diehl felt this is a lot of money and should be tabled.

A motion was made by Councilmember Diehl, seconded by Councilmember Shah, to table this Resolution.

AYES - Councilmembers Karabinchak, Mascola, Prasad, Shah, and Council President Diehl

NAYS - Councilmember Gomez and Lombardi

**RESOLUTION R.456-072015**

**WHEREAS**, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Township Council of the Township of Edison, County of Middlesex, New Jersey, expiring on September 18, 2015; and

**WHEREAS**, an application has been made for the renewal of Plenary Retail Consumption License (Hotel/Motel Exception), held by Raritan Hospitality LLC, for the premises commonly known as the Edison Hotel, bearing License Number: 1205-36-055-003 issued by the Director of the Division of Alcoholic Beverage Control, pursuant to N.J.A.C. 13:2-4.1, as a member of the Township Council has an interest in the License; and

**WHEREAS**, the proper applications and fees of \$2,500 to the municipality and \$200 to the State of New Jersey have been received by the Township Clerk; and

**WHEREAS**, as the Township Council is conflicted from considering this matter in its capacity as the local Alcoholic Beverage Control Board, it adopts this Resolution pursuant to N.J.A.C. 13:2-4.6 to advise that the Township Council is not aware of any local ordinance which would prohibit the renewal of this License, that any circumstances which could impact upon the renewal of this License have been provided to the Division by the Edison Police Department for the Division’s consideration and/or action and therefore the Township Council has no basis to object to the renewal of this License.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Edison, County of Middlesex, New Jersey, in its capacity as the local Alcoholic Beverage Control Board, that it has no basis to object to the renewal of this License and submits this Resolution to the Director of the Division of Alcoholic Beverage Control for consideration in regard to the renewal application of Licensee Raritan Hospitality, LLC for Plenary Retail Consumption License (Hotel/Motel Exception), bearing License Number: 1205-36-055-003.

A motion was made by Councilmember Lombardi, seconded by Councilmember Mascola, to adopt this Resolution.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Shah, and Council President Diehl

NAYS - None  
Councilmember Prasad abstained from voting due to a conflict.

**RESOLUTION R.458-072015**

Explanation: This Resolution establishes a Committee of the Whole of the Township Council.

**WHEREAS**, the Township of Edison's Mayor-Council form of government was established under and is governed by the Faulkner Act, N.J.S.A. 40:69A-31 et seq; and

**WHEREAS**, N.J.S.A. 40:69A-36 permits the Township Council to conduct a legislative inquiry as a committee of the whole to investigate specific issues in the administration of the Township; and

**WHEREAS**, the Council seeks to conduct an inquiry as to certain personnel matters and as such wishes to exercise all the powers appearing to the Councils pursuant to N.J.S.A. 40:69A-36, N.J.S.A. 40:69A-37 and N.J.S.A. 40:48-25, as necessary and appropriate.

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

1. A committee of the Whole is hereby established, to consist of all of the members of the Township Council with the Council with the Council President acting as it Chairman.
2. The matter under study is personnel matters in the Police Department.
3. This Resolution shall take effect immediately.

Councilmember Karabinchak thanked everyone for their comments. He said racism is not acceptable and this allows the Council to move forward and deal with privacy, contractual issues and potential leaks. He said the next step is to hire an independent attorney. He said we cannot do anything until we have an attorney. He said this is a slow process and a quick decision should not be expected and there may never be a decision.

Councilmember Mascola said the way this Resolution is written gives more latitude. He said it is a hard decision to go forward with this but it is necessary and during the process we may come out with something positive.

Councilmember Lombardi said we heard a lot of speakers prejudge the situation and he hopes the committee can go forward with an open mind.

A motion was made by Councilmember Mascola, seconded by Councilmember Shah to adopt this Resolution.

AYES - Councilmembers Gomez, Karabinchak, Lombardi, Mascola, Prasad, Shah, and Council President Diehl

NAYS - None

### **COMMUNICATIONS**

- a. Electronic Letter and petition received from the residents of Hemlock Drive and Deri Court regarding street in need of paving.

On a motion made by Councilmember Lombardi, seconded by Councilmember Mascola and duly carried, the above Communications were received.

### **ORAL PETITIONS AND REMARKS**

Council President Diehl opened the meeting for public comment.

Peter Kotari thanked the Council for passing Resolution R.458-072015. He felt it is our duty to speak out when something wrong is done.

Bruce Diamond, Calvert Avenue West, asked for an update on the changes to the tear-down ordinance.

Mr. Northgrave said we are looking at a variety of changes to make it a comprehensive ordinance.

Mr. Diamond requested that a time-line be placed in the ordinance indicating at what point it is reasonable for the neighbors to do something. He said he has never had a bad experience with an Edison Police Officer but unfortunately we do not have a mechanism to get rid of a bad apple.

Rich Sweeney, Suttons Lane, said there is a watershed in front of the John Marshall School where the weeds are very high and there is an infestation of feral cats. He said there is a playground there and the cats are using it as a litter box. He feels this is not healthy and asked who is responsible to take care of this area.

Bill Brunner, 215 Loring Avenue, he asked how many residents received two tax bills.

Mr. Northgrave explained there was a power failure and when the system rebooted the duplicate bills were generated.

Elizabeth Conway, 20 Netherwood Circle, said the condition of our roads is deplorable. She asked if there is a schedule for paving.

Council President Diehl said the paving is done in sections. He asked her to give her name and address to Mr. Kataryniak.

Fred Wolke, 10 Peake Road, thanked the Finance Committee and especially Councilmember Gomez for a job well done in keeping the budget as low as possible.

Councilmember Shah said her vote on the budget was a weak yes. She felt there should have been more communication between Councilmembers. Her deciding factor was the hiring of additional Police Officers.

Walt Shneer, Park Way, asked how many street sweepers we have.

Councilmember Mascola said we have two.

Mr. Shneer said his area has not seen a sweeper in a year. The sewers are covered with trash.

Fred Wolke, 10 Peake Road, said the Finance Committee pressed Ms. Ruane to settle contracts so it is not the fault of the Finance Committee.

Councilmember Mascola said he is not questioning the Finance Committee on the settling of contracts as it is not their purview to settle. He said the Administration said they would be settled and they are not.

Councilmember Gomez said we do have a 2% hard cap and we cannot control items outside of the cap. He felt with the unions it takes two to tango.

Councilmember Mascola said some of the contracts have expired four or more years ago.

Councilmember Gomez said we cannot force contracts that do not have binding arbitration.

Councilmember Shah left the meeting at 10:12 p.m.

Councilmember Gomez left the meeting at 10:15 p.m.

Carl Zimmerman, 247 Grandview Avenue, said he has collected over 700 illegal signs. He also commented on the beautiful paving job that done on Woodland Avenue. He said he will monitor the Township and he will make a difference.

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

Having no further business to discuss, on a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi, the meeting was adjourned at 10:28 p.m.

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Robert Diehl  
Council President

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Cheryl Russomanno, RMC  
Municipal Clerk