

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON
March 25, 2015**

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, March 25, 2015. The meeting was called to order at 7:01 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 Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliot, Recreation Director Halliwell, Police Captain Fresco 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.

APPROVAL OF MINUTES:

On a motion made by Councilmember Karabinchak, seconded by Councilmember Mascola, and duly carried, the Minutes of the Regular Meeting of January 14, 2015, Combined Meeting of January 28, 2014, Worksession Meeting of February 23, 2015, and March 9, 2015 were accepted as submitted.

COUNCIL PRESIDENT’S REMARKS

Council President Diehl welcomed the Boy Scouts in the audience and said it is nice to see them here.

ADMINISTRATIVE AGENDA:

MAYOR THOMAS LANKEY

March 19, 2015

Cheryl Russomanno, Acting Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Re: Municipal Alliance Committee

Dear Madam Clerk,

Please be advised that I hereby appoint the following individuals to a three year term as a member of Municipal Alliance Committee. All terms will expire June 30, 2018. Kindly provide the council with a copy.

- | | |
|------------------------|--|
| Jay Elliot | 100 Municipal Boulevard, Edison NJ 08817 |
| Joan McNichol | 378 Montclair Avenue, Edison NJ 08820 |
| John O. Grun | 102 East Branch Road, Allentown NJ 08501 |
| Dora Romas | 96 Warner Street, Fords 08863 |
| Thomas Bryan | 100 Municipal Boulevard, Edison NJ 08817 |
| Tracy Galpoor | 952 Beatrice Parkway, Edison NJ 08820 |
| Robert Dudash | 100 Municipal Boulevards, Edison, NJ 08817 |
| Josh Miller | 72 Fifth Street, Fords, NJ 08863 |
| Robert Ring | 20 Schuyler Drive, Edison, NJ 08817 |
| Gregory Formica | 100 Municipal Boulevard, Edison, NJ 08817 |
| Terry Aiken | Advisor for Bishop Ahr High School |
| Theresa Ward | 19 Outcalt Road, Edison, NJ 08817 |
| D. Daveen Mehrota | 652 Amboy Avenue, Edison NJ 08827 |
| Maureen Vogel Morowitz | 52 Grant Avenue, Highland Park, NJ 08892 |
| Carol Varroney | 100 Municipal Boulevard, Edison, NJ 08817 |
| Debbie Stevens | 50 Cedar Street, Edison, NJ 08817 |

Thank you for your attention to this matter.

Sincerely,

/s/ Thomas Lankey
Mayor
cc: Jay Elliot

March 19, 2015

Cheryl Russomanno
Acting Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Re: Appointment to Fair Rental Housing Board

Dear Ms. Russomanno,

Please inform the Council that I have made the following re-appointments to the Fair Rental Housing Board.

For 3 year terms:

Jay Elliot
Carlos Sanchez

For 2 year terms:

Suzanne Cason O'Neil
Donald Corrette

For 1 year terms:

Esther Nemitz
Ajay Patel
Stacy Palmer

Thank you for your attention to this matter.

Sincerely,

/s/ Thomas Lankey
Mayor

Cc: Patty Leary
Jay Elliot
Carlos Sanchez
Suzanne Cason O'Neil
Donald Corrette
Esther Nemitz
Ajay Patel
Stacy Palmer

APPROVAL OF VOLUNTEER FIREFIGHTERS:

Applications for membership were received by:

Raritan Engine Company #2
Utkarsh Patel

A motion was made by Councilmember Karabinchak, seconded by Councilmember Mascola, 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 March 11, 2015, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1898-2015

**AN ORDINANCE CREATING THE NEW FLEXIBLE
BUSINESS ZONE.**

(The above Ordinance O.1898-2015 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1898-2015

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

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi, 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 WEDNESDAY, APRIL 8, 2015)

The following Ordinances were introduced by title:

O.1897-2015 THIS ORDINANCE APPROVES AN AMENDMENT TO THE ACCESS EASEMENT AND STIPULATION OF SETTLEMENT RELATING TO BLOCK 595-C, LOT 2 TO PROVIDE ACCESS TO THE VISCO PROPERTY FOR COUNTY OPEN SPACE PURPOSES.

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 April 22, 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.200-032015 through R.220-032015.

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

The following Resolutions R.200-032015 through R.220-032015 were adopted under the Consent Agenda on a motion made by Councilmember Mascola and seconded by Councilmember Karabinchak.

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

NAYS - None

RESOLUTION R.200-032015

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 19, 2015

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 19, 2015

FUND	AMOUNT
Current	\$25,668,906.46
Affordable Housing	0.00
Capital	317,688.83
Cash Performance	0.00
CDBG	0.00
Developers Escrow	32,946.56
Dog (Animal Control)	3,803.89
Federal Forfeited	813.00
Grant Funds	2,631.88
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	856,992.27

Sanitation Fund	109,330.59
Sewer Utility	51,788.13
Tax Sale Redemption	195,134.82
Street Opening	0.00
Tree Planting	1,875.00
Trust	48,059.86
TOTAL	\$27,289,971.29

/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.201-032015

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 **\$284,342.00**.

RESOLUTION R.202-032015

WHEREAS, on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments: and

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$17,361.39 and

WHEREAS, the attached listing is a detail of the requested refund.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the Director of Finance shall and is hereby authorized to draw checks to the parties in the amounts specified on the attached listing.

RESOLUTION R.203-032015

RESOLUTION REJECTING THE SOLE BID FOR BROADCAST HARDWARE

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on February 4, 2015 for Public Bid No. 15-02-02 BROADCAST HARDWARE with a bid opening date of March 4, 2015; and

WHEREAS, there was one bidder; and the price of this bid was a total of \$61,521.00 which substantially exceeds the cost estimate; and

WHEREAS, Section 40A:11-13.2 of the Local Public Contracts Law allows for the rejection of all bids; and

WHEREAS, The Township of Edison desires to reject all bids under Section 40A11-13.2a - the lowest bid substantially exceeds the cost estimate for the goods or services.

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

1. The sole bid for Public Bid No. 15-02-02 BROADCAST HARDWARE is hereby rejected pursuant to N.J.S.A 40A:11-13.2a.
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.204-032015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO METUCHEN CENTER INC. FOR THE FURNISHING OF SPORTS UNIFORMS AND CLOTHING

WHEREAS, bids were received by the Township of Edison on February 10, 2015 for Public Bid No. 15-04-11 Sports Uniforms and Clothing; and

WHEREAS, METUCHEN CENTER INC., 10-12 Embroidery St., Sayreville, NJ 08872 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$8,000.00, 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 METUCHEN CENTER INC., 10-12 Embroidery St., Sayreville, NJ 08872 for Sports Uniforms and Clothing is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$8,000.00 and any other necessary documents, with METUCHEN CENTER INC.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.205-032015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO RIDDELL/ALL AMERICAN FOR THE FURNISHING OF SPORTS/SAFETY UNIFORMS AND EQUIPMENT

WHEREAS, bids were received by the Township of Edison on February 10, 2015 for Public Bid No. 15-04-11 Sports Uniforms and Clothing; and

WHEREAS, RIDDELL/ALL AMERICAN, 669 Sugar Lane, Elyria, OH 44035 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$3,500.00, 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 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 RIDDELL/ALL AMERICAN, 669 Sugar Lane, Elyria, OH 44035 for Sports Uniforms and Clothing is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$3,500.00 and any other necessary documents, with RIDDELL/ALL AMERICAN.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.206-032015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DREW & ROGERS, INC. FOR THE FURNISHING OF SPORTS/SAFETY UNIFORMS AND EQUIPMENT

WHEREAS, bids were received by the Township of Edison on February 10, 2015 for Public Bid No. 15-04-11 Sports Uniforms and Clothing; and

WHEREAS, DREW & ROGERS, INC., 30 Plymouth St., Fairfield, NJ 07004 submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$7,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by DREW & ROGERS, INC., 30 Plymouth St., Fairfield, NJ 07004 for Sports Uniforms and Clothing is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$7,000.00 and any other necessary documents, with DREW & ROGERS, INC.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

RESOLUTION R.207-032015

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	J C P & L C/O TAX DEPT
PROPERTY LOCATION	789 UNITED STATES RT 1
BLOCK / LOT / QUALIFIER	265.AA/43.K

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 NUMBER	TAX YEAR	ASSESSMENT
014581-2011	2011	62,900
015798-2012	2012	62,900
015544-2013	2013	62,900

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$1,574.54** for the years as follows:

TAX YEAR	TAX AMOUNT
2011	519.48
2012	524.92
2013	530.14

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 **\$1,574.54**.

RESOLUTION R.208-032015**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	J C P & L C/O TAX DEPT
PROPERTY LOCATION	HILL RD.
BLOCK / LOT / QUALIFIER	643.DD/39.B

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 NUMBER	TAX YEAR	ASSESSMENT
014531-2011	2011	175,900
015805-2012	2012	175,900
015508-2013	2013	175,900
014472-2014	2014	175,900

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$5,943.53** for the years as follows:

TAX YEAR	TAX AMOUNT
2011	1,455.48
2012	1,470.72
2013	1,485.34
2014	1,531.99

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 **\$5,943.53**.

RESOLUTION R.209-032015**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR PAYMENT FOR APPRAISAL SERVICES FOR TAX COURT APPEALS TO VALUE RESEARCH GROUP FOR THE YEAR 2014 IN AN AMOUNT OF \$26,742.50**

WHEREAS, **VALUE RESEARCH GROUP, LLC**, 301 South Livingston Avenue, #104, Livingston, NJ 07039, was awarded a contract for Appraisal Services for Tax Court Appeals on April 9, 2014 through Resolution 148-042014 for a one year period effective April 28, 2014 in the amount of \$80,000.00 and those funds have been depleted; and

WHEREAS, there are outstanding bills due for the year 2014 in the amount of \$26,742.50; and

WHEREAS, funds in the amount of \$13,510.94 have been certified to be available in the Tax Assessment, Other Professional Services Account, Number 4-01-20-0150-000-028 and funds in the amount of \$13,231.56 have been certified to be available in the Finance Department – Other Professional Services, Account 4-01-20-0130-001-028; and

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

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make payment to **VALUE RESEARCH GROUP, LLC**, 301 South Livingston Avenue, #104, Livingston, NJ 07039, as stated herein.

CERTIFICATION

I hereby certify that funds in the amount of **\$13,510.94** are available for the above in Account No. **4-01-20-0150-000-028** and funds in the amount of **\$13,231.56** are available in Account No. **4-01-20-0130-001-028**.

/s/ Agnes Yang

Acting Chief Financial Officer

RESOLUTION R.210-032015**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR APPRAISAL SERVICES FOR TAX COURT APPEALS TO VALUE RESEARCH GROUP IN AN AMOUNT NOT TO EXCEED \$45,000.00 for 2015**

WHEREAS, VALUE RESEARCH GROUP, LLC, 301 South Livingston Avenue, #104, Livingston, NJ 07039, was awarded a contract for Appraisal Services for Tax Court Appeals on April 9, 2014 through Resolution 148-042014 for a one year period effective April 28, 2014 in the amount of \$80,000.00 and those funds have been depleted; and

WHEREAS, the Purchasing Agent is in the process of issuing an RFP for this service and additional funds in the amount of \$45,000.00 for 2015 are needed to replenish and complete the one year term of the and until such a time as we award a contract; and

WHEREAS, the total amount of this contract, not to exceed \$45,000.00, 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 that the Mayor, or his designee, is hereby authorized to authorize additional funds for the year 2015 in the amount not to exceed \$45,000.00 with **VALUE RESEARCH GROUP, LLC** as described herein.

RESOLUTION R.211-032015

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Edison Rx Development, LLC with respect to the property identified as Block 546.B, Lot 43.A as shown on the Edison Township tax map.

WHEREAS, the property identified as Block 546.B, Lot 43.A as shown on the Edison Township tax map (the "Property," commonly referred to as 1620 Oak Tree Road) was the subject of an application before the Zoning Board of Adjustment of the Township of Edison (hereinafter the "Board") made by Edison Rx Development, LLC ("Developer") for bulk and use variance relief and the approval of a preliminary and final site plan to permit the construction of a 9,433 square foot retail pharmacy building, to include 24 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 April 19, 2014 ("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 Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.

3. This Resolution shall take effect immediately.

RESOLUTION R.212-032015

EXPLANATION: Resolution Refunding Inspection Fees to Anthony Lam-1090Amboy Avenue Application #P33-03/04 Account #7200025063

WHEREAS, the Acting Township Engineer advises that a final inspection was done of 1090 Amboy Avenue Application #P33-03/04 located in Block: 693, Lot: 1

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

WHEREAS, on June 1, 2005 Anthony Lam posted inspection fees in the amount of \$2,300.55on deposit with the Township of Edison in account #7200025063for inspection fees; and

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

WHEREAS, it is in now in order that the sum of \$699.13, if applicable, which represents the amount due and owing the applicant, be returned to Anthony Lam, having offices at 320 62nd Street, West New York, N.J. 07093.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$699.13, be refunded to the applicant; and

BE IT FURTHER RESOLVED that the Acting Director of Finance be and is hereby authorized to refund said sum of \$699.13, in account #7200025063 to the applicant.

RESOLUTION R.213-032015

RESOLUTION ACCEPTING BID AND AWARDDING CONTRACT TO MONTANA CONSTRUCTION CORP., INC. FOR EMERGENCY BYPASS CONNECTIONS AND WET WELL REHABILITATION FOR PUMP STATIONS IN THE TOWNSHIP OF EDISON

WHEREAS, bids were received by the Township of Edison on March 10, 2015 for Public Bid No. 15-29-01 EMERGENCY BYPASS CONNECTIONS AND WET WELL REHABILITATION FOR PUMP STATIONS for the Township of Edison; and

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

WHEREAS, the maximum amount of the purchase shall not exceed \$1,293,000.00; and

WHEREAS, funds in the amount of \$1,293,000.00 have been certified to be available in the Various Sewer Improvements Account, Number C-08-14-1873-001-000; 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 MONTANA CONSTRUCTION CORP., INC., 80 Contant Avenue, Lodi, NJ 07644 for the furnishing of emergency bypass connections and wet well rehabilitation for pump stations in the Township of Edison 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 \$1,293,000.00, and any other necessary documents, with MONTANA CONSTRUCTION CORP., INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$1,293,000.00** are available for the above contract in Account No. **C-08-14-1873-001-000**.

/s/ Agnes Yang
Acting Chief Financial Officer

RESOLUTION R.214-032015

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO TANDEM AXLE DUMP TRUCKS WITH SNOW PLOWS FROM CAMPBELL FREIGHTLINER THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS

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

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

WHEREAS, CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, Monroe, NJ 08831 is the vendor awarded the bid for the furnishing and delivery of Tandem Axle Dump Trucks with Plow under Bid Number B-14-13-R through the MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS; and

WHEREAS, the Township of Edison wishes to purchase two tandem axle dump trucks with snow plows through this cooperative pricing system; and

WHEREAS, the total amount of this purchase will be \$414,054.00 (\$207,027.00 each); and

WHEREAS, funds in the amount of \$414,054.00 have been certified to be available in the Acquisition of Vehicles and Equipment Account, Number C-04-15-1895-310-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$414,054.00 with CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, Monroe, NJ 08831, the approved MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS vendor through this resolution, which shall be subject to all the conditions applicable to the current MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP 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 **\$414,054.00** are available for the above in Account No. **C-04-15-1895-310-000**.

/s/ Agnes Yang
Acting Chief Financial Officer

RESOLUTION R.215-032015

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE AUTOMOTIVE AND LIGHT DUTY TRUCK PARTS FROM GENUINE PARTS COMPANY THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM

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, GENUINE PARTS COMPANY, 1770 New Durham Road, South Plainfield, NJ 07080, is the vendor selected for the cooperative purchase of Automotive and Light Duty Truck Parts through the Somerset County Cooperative Pricing System (#2SOCCP) for which Edison is a member; and

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

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

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

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of

available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount of \$50,000.00 with **GENUINE PARTS COMPANY**, 1770 New Durham Road, South Plainfield, NJ 07080, 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.

RESOLUTION R.216-032015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO XYLEM DEWATERING SOLUTIONS INCORPORATED D/B/A GODWIN PUMPS OF AMERICA FOR SEWER PUMP RENTALS

WHEREAS, bids were received by the Township of Edison on February 25, 2015 for Public Bid No.15-08-25, Sewer Pump Rentals, for the Department of Public Works; and

WHEREAS, XYLEM DEWATERING SOLUTIONS INCORPORATED, D/B/A GODWIN PUMPS OF AMERICA, 6 Connerty Court, East Brunswick, NJ 08816, submitted the lowest legally responsible, responsive bid; and

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

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein 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 XYLEM DEWATERING SOLUTIONS INCORPORATED D/B/A GODWIN PUMPS OF AMERICA, 6 Connerty Court, East Brunswick, NJ 08816 for Sewer Pump Rentals 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 \$50,000.00 and any other necessary documents, with XYLEM DEWATERING SOLUTIONS INCORPORATED D/B/A GODWIN PUMPS OF AMERICA as described herein.

RESOLUTION R.217-032015

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR THE PURCHASE OF THREE (3) PANASONIC FIELD TOUGHPADS WITH PROTECTION PLANS FOR THE FIRE DIVISION

WHEREAS, there is a need for three (3) Panasonic Field Toughpads with protection plans for the Fire Division (Fire Prevention Vehicles); and

WHEREAS, CDW GOVERNMENT, LLC, 230 N Milwaukee Ave, Vernon Hills, Il 60061 has been awarded State Contract Number 75583 under M-0483 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, the maximum amount of the purchase shall not exceed \$11,220.00 (\$3,740.00 each); and

WHEREAS, funds in the amount of \$11,220.00 have been certified to be available in the Fire Prevention Office Equipment, Account #5-01-25-0265-002-053, 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 \$11,220.00, and any other necessary documents, with CDW GOVERNMENT, 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. 75583 under M-0483.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,220.00** are available for the above in Account No. **5-01-25-0265-002-053**.

/s/ Agnes Yang
Acting Chief Financial Officer

RESOLUTION R.218-032015

***2015 Distracted Driving Statewide Crackdown
Grant Application and Initiative***

WHEREAS, the Division of Police wishes to apply for grant funding in the amount of \$5000.00 to provide additional manpower hours to crack down on distracted drivers; and

WHEREAS, the number of people killed nationwide in distraction-affected crashes were 3,328 in 2012. An estimated 421,000 people were injured in motor vehicle crashes involving a distracted driver, this was a nine percent increase from the estimated 387,000 people injured in 2011; and

WHEREAS, an enforcement crackdown is planned to combat violations related to distracted driving; 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 April 1-21, 2015; and

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

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares our support for the grant application and participation in the 2015 Distracted Driving Statewide Crackdown Grant between April 1-21, 2015 and pledges to increase awareness of laws pertaining to distracted drivers.

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

RESOLUTION R.219-032015

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO SHI INTERNATIONAL CORPORATION FOR THE PURCHASE OF THE EMERGENCY NOTIFICATION SYSTEM FOR THE DIVISION OF POLICE

WHEREAS, there is a need for an emergency notification system for the Division of Police; and

WHEREAS, SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873 has been awarded State Contract Number 77560 under M-0003 Software License & Related SER; 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 \$28,352.50; and

WHEREAS, funds in the amount of \$28,352.50 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment 5-01-25-0250-000-026, and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$28,352.50, and any other necessary documents, with SHI INTERNATIONAL CORPORATION 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. 77560 under M-0003.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$28,352.50** are available for the above in **Account No. 5-01-25-0250-000-026**.

/s/ Agnes Yang
Acting Chief Financial Officer

RESOLUTION R.220-032015

RESOLUTION AUTHORIZING A PUBLIC SALE PURSUANT TO N.J.S.A. 39:10A-1 ET. SEQ. OF TWENTY - ONE (25) VEHICLES THAT WERE FOUND ABANDONED AND WERE RECOVERED BY THE EDISON POLICE DIVISION

WHEREAS, in accordance with N.J.S.A. 39:10A-1 et. seq. the Edison Police Division regularly has vehicles that came into possession of the Township of Edison through abandonment or failure of owners to claim said vehicles and these have been duly processed; and

WHEREAS, the vehicles that are not recovered by the owners become the property of the Township of Edison and it is necessary to conduct a public sale to dispose of said vehicles.

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

1. The appropriate township officials are hereby authorized to advertise and auction the public sale of vehicles as indicated on the attached list that were found abandoned throughout the Township of Edison, not recovered by the owners, and have become the property of the Township of Edison.
2. The Township Clerk shall advertise the attached list of twenty - one (25) vehicles one time in the Home News Tribune.

ORAL PETITIONS AND REMARKS

Council President Diehl opened the meeting for public comment.

Robert Engel, 4 Gallo Way, said he was here last Tuesday evening to attend a Zoning Board meeting. He saw a public notice posted on the bulletin board stating that there was an Ethics Board meeting being held that evening at 7:00 p.m. in the Edison Room. He said he went upstairs and found the Edison Room but there was no one there. He came downstairs to re-read the notice to make sure he was correct. He said a citizen would be unable to find this meeting if they tried. He also said his wife looked through the newspapers for the public notice advertising this meeting and could not find anything. He said he is unsure if it was ever advertised and if it was and the meeting was moved he felt the change should have been posted.

Walt Shneer, Park Way, reported that there are two stop signs that are on the ground along Walton Street. He also said at the intersection of Walton and Park Way there is a missing manhole cover right in the center of that intersection.

Esther Nemitz, 162B Fay Street, spoke about the proposed traffic signal at Woodbridge Avenue and May Street. She said the State now requires that when a traffic signal is installed it must also be audible. She said the Freeholders have passed a resolution for the traffic signal and it will be taken care of. She also said she has a long list of questions on the Hartz site but since the Planner is not present she cannot ask them. She felt the Planner should be present to address the proposed changes to the redevelopment plan before it is adopted.

Council President Diehl asked Ms. Nemitz to please send in her list of her questions regarding the Hartz site and he will get her the answers. He felt this would be a more efficient way of doing things.

Ms. Nemitz said she wants the Planner to come to a Council meeting to explain the changes so the public understands.

Jillian Zammit, 17 Stiles Road, said he agrees with Esther, the Planner should be present to explain to the public

Council President Diehl suggested they submit their questions and then maybe we can look at a formal presentation.

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

Having no further business to discuss, on a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, the meeting was adjourned at 7:21 p.m.

Robert Diehl
Council President

Cheryl Russomanno
Acting Municipal Clerk