

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

April 22, 2015

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, April 22, 2015. The meeting was called to order at 7:19 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Mascola, Prasad and Shah. Councilmember Lombardi was absent.

Also present were Acting Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliot Township Engineer Kataryniak, 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.

APPROVAL OF MINUTES:

On a motion made by Councilmember Karabinchak, seconded by Councilmember Shah, and duly carried, the Minutes of the Regular Meeting of February 11, 2015, February 25, 2015 and March 11, 2015; and Worksession Meeting of April 6, 2015 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council President Diehl apologized for the late start to the meeting. He announced the Earth Day celebration will be held this Sunday at Lake Papaiani and the tree planting will take place at 1:00 p.m.

RESOLUTION OF RECOGNITION:

The following Resolution of Recognition was read in its entirety:

WHEREAS, Rabbi Gerald L. Zelizer has been serving the local community with distinction for the past several decades; and

WHEREAS, Rabbi Zelizer first came to Congregation Neve Shalom in the neighboring Borough of Metuchen in 1970 and has been leading his congregants ever since; and

WHEREAS, Rabbi Zelizer has been instrumental in developing adult education, participatory services and youth programming for the local community, of nationally recognized excellence; and

WHEREAS, Rabbi Zelizer is a fourth generation rabbi hailing from Columbus, Ohio; and

WHEREAS, even as a youth, Rabbi Zelizer demonstrated his future community leadership and religious commitment, having served as International President of the United Synagogue Youth from 1954-1956; and

WHEREAS, since then, Rabbi Zelizer has proceeded to serve in many leadership roles including as President of the International Rabbinical Assembly ("R.A.") (1992-1994), Committeeman on the R.A. Committee on Jewish Law and Standards (1994-1999), Committeeman on the R.A. Ethics Committee (since 2000) and Member of the Coalition of Religious Leaders of New Jersey, among other posts; and

WHEREAS, Rabbi Zelizer has been ordained by the Jewish Theological Seminary of America, where he also received a Masters Degree in Hebrew Literature (1964); and

WHEREAS, Rabbi Zelizer has written widely on the subjects of religion and popular American culture for various publications including the Newark Star Ledger, the New York Times, the Los Angeles Times, the Chicago Tribune and major Jewish newspapers and journals including The Forward, the Jewish Spectator, Judaism and the Jewish Week of New York; and

WHEREAS, Rabbi Zelizer has taught and was appointed as Professor of homiletics at the Jewish Theological Seminary; and

WHEREAS, in 1980, Rabbi Zelizer established the Jewish Family Service of Middlesex County, a non-profit human services agency dedicated to assisting individuals and families in need; and

WHEREAS, Rabbi Zelizer has testified before the New Jersey Death Penalty Study Commission in support of achieving a moratorium on the death penalty in New Jersey, which penalty was abolished in 2007; and

WHEREAS, in 2006 the United Synagogue of New Jersey bestowed on Rabbi Zelizer the Keter Torah Leadership Award for distinguished rabbinic service; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY hereby recognizes Rabbi Zelizer for his distinguished religious service and contributions to the local community.

Council President Diehl said we have a Resolution of Recognition for Rabbi Zelizer for his 45 years of service. He said the Resolution will be presented at a later date and he asked Ms. Russomanno to read the Resolution.

Council President Diehl opened the meeting for public comment on Resolution of Recognition R.247-042015.

Hearing no comments, the public hearing was closed on a motion made by Councilmember Shah, seconded by Councilmember Karabinchak, and duly carried.

A motion was made by Councilmember Karabinchak, seconded by Councilmember Shah, to adopt Resolution of Recognition R.247-042015.

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

NAYS - None

Councilmember Lombardi was absent.

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on April 8, 2015, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1899-2015

BOND ORDINANCE PROVIDING FOR THE REPAVING AND RECONSTRUCTION OF VARIOUS ROADS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY APPROPRIATING \$3,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$3,333,330 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

(The above Ordinance O.1899-2015 can be found in its entirety in Ordinance Book #26.)

Council President Diehl declared the Public Hearing opened for O.1899-2015

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

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

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

NAYS - None

Councilmember Lombardi was absent.

The following Ordinance, which was introduced by Title on April 8, 2015, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1900-2015 AN ORDINANCE ADOPTING AMENDMENTS TO THE FORD ASSEMBLY PLANT REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW.

Council President Diehl declared the Public Hearing opened for O.1900-2015

Esther Nemitz, 162B Fay Street, said Mr. Northgrave gave lots of information at the last meeting and she thanked him for that but said she is still disappointed that we have not heard from Hartz or the Planner. She said she hopes that they will come before the Council before this goes to the Planning Board.

Irene Wall, 205 Fleet Avenue, said we want redevelopment but not housing. She asked if the Township has received the deed for the seven acres that was given to us.

Mr. Northgrave said not yet as there are still conditions that need to be met.

Ms. Wall said she wants to see a deed not a dedication.

Esther Nemitz, 162B Fay Street, reported that the Open Space Committee is discussing how they would like to see that land used and they will pay careful attention to it.

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

Councilmember Dr. Prasad said we do not have a deed but asked if we have an outline of the seven acres.

Mr. Northgrave said yes, it is on the map.

Councilmember Karabinchak said this is the first step in energizing this development. We have been waiting for a long, long time to see this beautiful property developed and he will support this.

On a motion made by Councilmember Gomez, seconded by Councilmember Shah, the Ordinance was adopted.

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

NAYS - Councilmember Prasad
Councilmember Lombardi was absent.

NEW BUSINESS
PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, MAY 13, 2015)

The following Ordinances were introduced by title:

O.1901-2015 AN ORDINANCE AMENDING THE TOWNSHIP CODE TO PROHIBIT PARKING ON BOTH SIDES OF TRUMAN DRIVE SOUTH.

On a motion made by Councilmember Mascola, seconded by Councilmember Shah, 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 May 13, 2015

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

NAYS - None
Councilmember Lombardi was absent.

The following Ordinances were introduced by title:

O.1902-2015 AN ORDINANCE REVISING THE TOWNSHIP'S CODE OF GENERAL ORDINANCES TO AMEND THE FEE SCHEDULES APPLICABLE TO BUILDINGS, PLUMBING, ELECTRICAL AND FIRE SUBCODE COMPLIANCE.

On a motion made by Councilmember Shah, seconded by Councilmember Mascola, 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 May 13, 2015.

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

NAYS - None
 Councilmember Lombardi was absent.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.248-042015 through R.271-042015.

Irene Wall, 205 Fleet Avenue, on Resolution R.252-042015, she asked if there is a list of what we are receiving.

Ms. Ruane said yes and she read the list. She told Ms. Wall she will get her a copy of the list.

Ms. Wall asked for an explanation of Resolution R.251-042015.

Ms. Ruane said this is an overpayment by the insurance company and we have to refund it.

Ms. Wall asked the location on Resolution R.271-042015.

Ms. Russomanno said it is the Rosewood.

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

The following Resolutions R.248-042015 through R.271-042015 were adopted under the Consent Agenda on a motion made by Councilmember Karabinchak and seconded by Councilmember Shah.

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

NAYS - None
 Councilmember Lombardi was absent.

RESOLUTION R. 248-042015

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

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

FUND	AMOUNT
Current	\$13,102,819.23
Affordable Housing	19,127.50
Capital	1,151,711.03
Cash Performance	18,209.55
CDBG	81,008.97
Developers Escrow	18,404.25
Dog (Animal Control)	2,150.94
Federal Forfeited	1,037.38
Grant Funds	5,672.77
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	427,031.30
Sanitation Fund	589,959.36
Sewer Utility	85,833.33
Tax Sale Redemption	189,022.54
Street Opening	0.00
Tree Planting	0.00
Trust	107,193.31
TOTAL	\$15,799,181.66

/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 249-042015

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 **\$268,894.78**.

RESOLUTION R.250-042015

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 \$12,625.18 and

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

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.251-042015

RESOLUTION AUTHORIZING A REIMBURSEMENT TO PROFESSIONAL MUNICIPAL MGMT. JIF FOR OVERPAYMENT OF PROPERTY LOSS PAYMENT

WHEREAS, Professional Municipal Mgmt. JIF, made an overpayment for Property Damage to the Township of Edison for the amount of \$1,750.00; and

WHEREAS, in accordance with the Code of the Township of Edison, Section 12-6.2(m) the appropriate fee for PMMJIF Fund for overpayment of \$1,750.00

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$1,750.00 to Professional Municipal Mgmt. JIF, 100 Decadon Drive Egg Harbor Twp., NJ 08234, which amount represents the amount of overpayment for Property Damage.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed **\$1,750.00** are available for the above refund in Account No. **T-13-00-0013-000-000**.

/s/ Agnes Yang, Acting
Chief Financial Officer

RESOLUTION R.252-042015

RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO SPELLCASTER PRODUCTIONS LLC FOR AUDIO/VISUAL SYSTEM SUPPLY AND INSTALLATION FOR THE TOWNSHIP OF EDISON COUNCIL CHAMBERS

WHEREAS, bids were received by the Township of Edison on March 27, 2015 for Public Bid No. 15-02-12 AUDIO/VISUAL SYSTEM SUPPLY AND INSTALLATION for the Township of Edison; and

WHEREAS, SPELLCASTER PRODUCTIONS LLC, 629 White Horse Pike, Hammonton, NJ 08037 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$42,250.51; and

WHEREAS, funds in the amount of \$42,250.51 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 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 SPELLCASTER PRODUCTIONS LLC, 629 White Horse Pike, Hammonton, NJ 08037 for the supply, delivery and installation of an audio/visual system for the Township of Edison council chambers 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 \$42,250.51, and any other necessary documents, with SPELLCASTER PRODUCTIONS LLC 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 **\$42,250.51** are available for the above contract in Account No. **C-04-14-1872-100-001**.

/s/ Agnes Yang
Acting Chief Financial Officer

RESOLUTION R.253-042015

**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	MAXIS8, LLC
PROPERTY LOCATION	1677 LINCOLN HWY RT 27
BLOCK / LOT / QUALIFIER	91/14

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
013910-2014	2014	442,600

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

TAX YEAR	TAX AMOUNT
2014	1,724.10

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 **\$1,724.10**.

RESOLUTION R.254-042015

**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	TRENTA, LOUIS R.
PROPERTY LOCATION	1604 LINCOLN HWY. ROUTE 27
BLOCK / LOT / QUALIFIER	125/5

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
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014442-2012	2012	180,300
014442-2012 FREEZE ACT	2013	180,300
013314-2014	2014	180,300
013314-2014 FREEZE ACT	2015	TBD

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$4,589.06** for the years as follows:

TAX YEAR	TAX AMOUNT
2012	1,503.82
2013	1,518.77
2014	1566.47
2015	TBD

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 **\$4,589.06**.

RESOLUTION R.255-042015

**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	MEYER RD.
BLOCK / LOT / QUALIFIER	265.DD/37.D

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
014530-2011	2011	102,500
015801-2012	2012	102,500
015509-2013	2013	102,500

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$2567.49** for the years as follows:

TAX YEAR	TAX AMOUNT
2011	847.08
2012	855.95
2013	864.46

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 **\$2,567.49**.

RESOLUTION R.256-042015

**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	Meyer Rd.
BLOCK / LOT / QUALIFIER	265.dd/36.e

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
014530-2011	2011	40,100
015801-2012	2012	40,100
015509-2013	2013	40,100

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$1,007.14** for the years as follows:

TAX YEAR	TAX AMOUNT
2011	332.28
2012	335.76
2013	339.10

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 **\$1,007.14**.

RESOLUTION R.257-042015

**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	32 MEYER RD
BLOCK / LOT / QUALIFIER	265.BB/36.D

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
014590-2011	2011	\$25,500
015796-2012	2012	\$25,500
015512-2013	2013	\$25,500
014629-2014	2014	\$25,500

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$860.00** for the years as follows:

TAX YEAR	TAX AMOUNT
2011	\$210.60
2012	\$212.81
2013	\$214.92
2014	\$221.67

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 **\$860.00**.

RESOLUTION R.258-042015

**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
014473-2014	2014	\$11,100

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$546.79** for the years as follows:

TAX YEAR	TAX AMOUNT
2014	\$546.79

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 **\$546.79**.

RESOLUTION R.259-042015

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal with Freeze Act provision
and Payment of Interest**

WHEREAS, Tax Collector has received and processed successful tax appeal judgments from the Tax Court of New Jersey for Tax Year 2013 for the cases listed attached.

WHEREAS, Tax Collector has also received a request, from the lawyer representing the property owners listed, that the provisions of N.J.S.A. 54:51A-8 (Freeze Act) be applied to the assessment on the properties referred to herein for the Freeze Act Year (s): 2014 and 2015, since the judgment was based on trial not on any stipulation agreement with the Township, and that interest be paid on all the affected years, as established by law (N.J.S.A. 54:3-27.2) since his clients did not waive them during negotiations.

WHEREAS, The Tax Assessor confirmed that in fact the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): 2014 and 2015, and that 2015 has been already applied in books.

WHEREAS, the Township's Lawyer for these tax appeal cases has confirmed that the interest was never waived by the listed property owners and therefore shall be paid as requested as provided by N.J.S.A. 54:3-27.2.

WHEREAS, The Tax Collector advises that the reduction in assessed value, for the Freeze Act Year 2014 has caused a real estate tax overpayment in the amount of **\$13,025.09**, (detail list attached) and

WHEREAS, The Tax Collector further advises that 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, together with interest thereon from the date of payment at a rate of 5%, per annum, within 60 days of final judgment."

WHEREAS, The Tax Collector also advises that the calculated interest in the refund amount from the due date of the reduced assessment until the actual or estimated date of the refund for all the properties listed will result in a total amount of **\$2,147.92** for each property and year listed attached.

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 **\$15,173.01**.

RESOLUTION R.260-042015

Explanation: Approval and authorization by the Municipal Council of the Township of Edison of the development and submission of a grant application to the 2015 USFTA NJDOT/NJT/FTA Section 5310 Bus-Related Equipment and Facilities Program, funded by Federal Transportation Authority (FTA) FTA SAFETEA-LU (80%) and NJ Transit (20%). The intent of this program is to improve mobility for seniors and individuals with disabilities by providing financial support, through programs planned, designed and carried out to meet the special transportation needs of these populations.

WHEREAS, the Edison Department of Health and Human Services (EDHHS)/Division of Senior Services (DSS) operates an established and continuing passenger bus-services program for the transportation needs of local Senior and Disabled Citizens; and

WHEREAS, grant support of up to 80% is currently available from 2015 USFTA NJDOT/NJT Section 5310 Bus and Bus-Related Equipment and Facilities Grant Program, as funded by Federal Transportation Authority (FTA) FTA SAFETEA-LU, with a requisite 20% cash match from NJ Transit; and

WHEREAS, EDHHS DSS desires to apply for and obtain an 80%/\$72,000 grant from the 2015 USFTA NJDOT/NJT Section 5310 Bus and Bus-Related Equipment and Facilities Program, with a cash match of 20%/\$18,000 to be provided by NJ Transit, in order to purchase a new, fuel-efficient, high-mileage, lower-emissions, ADA-certified, gasoline-powered bus to serve the increasing transportation needs of local Senior and Disabled Citizens in the Township of Edison; and

WHEREAS, the Township of Edison is an active participant in the County of Middlesex Coordinated Human Services Transportation Plan (CHSTP), as required; and

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby authorize the Edison Department of Health and Human Services/Division of Senior Services to develop and submit said grant application to the 2015 USFTA NJDOT/NJT Section 5310 Bus-Related Equipment and Facilities Grant Program, funded by Federal Transportation Authority (FTA) FTA SAFETEA-LU, at a regularly-scheduled Work Session on April 20, 2015 and subsequent Public Meeting on April 22, 2015.

RESOLUTION R.261-042015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ON-SITE FLEET SERVICE, INC. FOR BUS REPAIR SERVICES

WHEREAS, bids were received by the Township of Edison on April 7, 2015 for Public Bid No. 15-06-28, Bus Repair Services, for the Department of Health and Human Services; and

WHEREAS, ON-SITE FLEET SERVICE, INC., 36 Edgeboro Rd., East Brunswick, NJ 08816 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 ON-SITE FLEET SERVICE, INC., 36 Edgeboro Rd., East Brunswick, NJ 08816 for Bus Repair Services for the Department of Health and Human Services, 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 ON-SITE FLEET SERVICE, INC. as described herein.

RESOLUTION R.262-042015

WHEREAS, the Edison Department of Health and Human Services (EDHHS), through the Edison Municipal Alliance (EMA), established the noted BRIDGES (Building Relationships In Diversified Groups of Edison Students) program 18+ years ago, which it continues to effectively administer for the documented benefit of local students and their families to encourage positive, healthy behavior as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Middlesex County Cultural & Heritage Commission (MCCHC) recently distributed NOFA and RFP for Applications to Apply for the in-kind use of Crossroads Theatre/New Brunswick Cultural Center and Technical Staff, as funded by Crossroads Theatre/New Brunswick Cultural Center, Johnson & Johnson Corporation and Middlesex County Cultural & Heritage Commission,

Middlesex County Board of Chosen Freeholders, NJ State Council of the Arts/NJ Department of State and US National Endowment for the Arts; and

WHEREAS, the Edison Department of Health and Human Services, through the EMA/BRIDGES program, intends to apply to the for the in-kind use of the Crossroads Theatre/New Brunswick Cultural Center and Technical Staff, as well as for a grant for a maximum amount of \$1,200.00 for event marketing and related costs, to present an original, community engagement, environmentally-themed, theatrical work, created by the Students of PSET JP Stevens High School participating in the EMA/BRIDGES MCCHC Community Engagement Environmental Theater Program, as it shall help to further strengthen its mission, focus and vision through a personally artistic and creative vehicle; and

WHEREAS, no cash or in-kind match is required to apply for such in-kind and grant resources, representing a total, combined, maximum value of \$3,200.00 from Crossroads Theatre/New Brunswick Cultural Center, Middlesex County Cultural and Heritage Commission and Johnson & Johnson Corporation; and

WHEREAS, as a result, PSET JP Stevens High School Students and designated NJ Artists participating in EMA/BRIDGES will personally and directly experience the production and presentation of an original, theatrical piece they will have created as a result of their active engagement in the 2015 EMA/BRIDGES MCCHC TEEN ARTS COMMUNITY ENGAGEMENT ENVIRONMENTAL THEATER PROGRAM, at the venue of a well-renowned, professional theater in New Jersey; and

WHEREAS, the Edison Department of Health and Human Services, through the EMA/BRIDGES program, will utilize all resources and grant funds awarded by Crossroads Theatre/New Brunswick Cultural Center, Middlesex County Cultural and Heritage Commission and Johnson & Johnson Corporation in compliance with all applicable Federal, Middlesex County and New Jersey agency requirements, guidelines, regulations and statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby approve and authorize the development and submission of said grant application at a regularly-scheduled, public meeting on Wednesday, April 22, 2015.

RESOLUTION R.263-042015

EXPLANATION: Resolution releasing Cash Performance to E-J Ferreira Construction Application #Z26-2013 Account #7762495419

WHEREAS, the Acting Township Engineer advises that an inspection has been made, for the construction of electrical transmission infrastructure at Olympic Drive & Raritan River, Block: 390-L Lot: 12 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Acting Township Engineer, recommends the release of the Cash Performance posted on May 30, 2014 in the amount of \$343,050.00, plus accrued interest, if applicable, on deposit in account #7762495419 with the Township of Edison

BE IT FURTHER RESOLVED that the Acting Township Clerk and the Acting Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Bond in the amount of \$343,050.00 plus accrued interest, if applicable, on deposit in account #7762495419 to the applicant.

RESOLUTION R.264-042015

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Rashid Khan for the Planning Board concept application

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Rashid Khan for a project located at 419 Plainfield Avenue , Edison, N.J.08817 in Block 4.A, Lot 4B a concept application ; and

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

WHEREAS; on September 4,2014, Rashid Khan posted fees on deposit with the Township of Edison in the account # 7763328761 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 \$ 500.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Rashid Khan; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$500.00 plus accrued interest, if applicable be refunded to Rashid Khan, 20 Rolling Brook Drive, Edison, N.J. 08820

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 500.00, plus accrued interest, if applicable, in account #7763328761to the applicant.

RESOLUTION R.265-042015

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO T & M ASSOCIATES FOR ENVIRONMENTAL CONSULTING SERVICES

WHEREAS, the Township of Edison has a need for environmental consulting services at four Edison Township sites; Edison Municipal Garage, Fire Station No. 1, Heights Pump Station and Dogwood Pump Station; and

WHEREAS, T & M ASSOCIATES, 11 Tindall, Road, Middletown, NJ 07748, has submitted a proposal to provide such services for an amount not to exceed \$52,650.00; and

WHEREAS, this shall include services such as remedial investigation, management, technical support and reporting services relating to the former underground storage tanks at each site; and

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

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

WHEREAS, T & M ASSOCIATES, 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 T & M ASSOCIATES from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$52,650.00 and any other necessary documents with T & M ASSOCIATES, 11 Tindall, Road, Middletown, NJ 07748 for environmental consulting services as described herein.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$52,560.00** are available for the above contract in Account No. **5-01-31-0460-000-074**.

/s/ Agnes Yang
Acting Chief Financial Officer

RESOLUTION R.266-042015

RESOLUTION AWARDED CHANGE ORDER #1 IN THE AMOUNT OF \$1,740.00 FOR CRIMSON FIRE D/B/A SPARTAN ERV FOR THE 100' MID MOUNT TOWER LADDER PLATFORM TRUCK FOR A TOTAL REVISED CONTRACT AMOUNT OF \$1,000,422.00

WHEREAS, CRIMSON FIRE D/B/A SPARTAN ERV, 907 7TH Ave. N, Brandon, SD 57005 was awarded Contract No. 13-06-06R, 100" Mid Mount Tower Ladder Truck on January 6, 2014 through resolution R.016-012014 in the amount of \$998,682.00; and

WHEREAS, the Division of Fire has changed the electrically controlled monitor from Akron to Taskforce tips resulting in an increase of \$1,740.00; and

WHEREAS, funds in the amount of \$1,740.00 have been certified to be available in the Firefighting other Equipment & Supplies Account, Number 5-01-25-0265-001-058; 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 Change Order #1 to Contract 13-06-06R with CRIMSON FIRE D/B/A SPARTAN ERV is authorized and approved in the amount of \$1,740.00 resulting in a total revised contract amount of \$1,000,422.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$1,740.00 are available for the above in Account No. **5-01-25-0265-001-058**.

/s/ Agnes Yang
Acting Chief Financial Officer

RESOLUTION R.267-042015

Explanation: Federal Bulletproof Vest Partnership (BVP) through the Office of Justice Programs- Bureau of Justice Assistance to allocate funds to local and state law enforcement agencies for the purchase of body vests as part of a matching funds grant not to exceed \$25,000.00.

**RESOLUTION APPROVING PARTICIPATION IN FY 2015
FEDERAL BULLETPROOF VEST PARTNERSHIP**

WHEREAS, the Federal Bulletproof Vest Partnership is designed to provide matching funds to purchase 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 and volunteer 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 in the Federal Bulletproof Vest Partnership through the Office of Justice Programs-Bureau of Justice Assistance in a matching funds grant not to exceed \$25,000.00.

RESOLUTION R.268-042015

EXPLANATION: A Resolution authorizing and approving the Place-to-Place transfer of the Plenary Retail Distribution License held by 888 Rt. 22 Inc. d/b/a Liquor Locker to premises located at 1665 Oak Tree Road in Edison.

WHEREAS, an application has been filed with the Township of Edison for a Place-to-Place transfer of a Plenary Retail Distribution Liquor License, No. 1205-44-012-006, issued to 888 Rt. 22 Inc. d/b/a Liquor Locker (“Applicant”) from the Applicant’s existing business premises located at 1701 Oak Tree Road, Edison to a new business location at 1665 Oak Tree Road, Edison; and

WHEREAS, public notice of this transfer has been published in **THE HOME NEWS TRIBUNE**, a New Jersey publication, in accordance with law; and

WHEREAS, no legally valid objections have been received nor made as to why this transfer should not be granted to the Applicant; and

WHEREAS, the Applicant’s submitted application form is complete in all respects, the applicable transfer fees have been paid and the respective liquor license has been properly renewed for the current license term.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Entity’s application for a Place-to-Place transfer of Plenary Retail Distribution Liquor License No. 1205-44-012-006 as to business premises now to be located at 1665 Oak Tree Road, Edison is hereby granted, effective May 1, 2015.
3. The Township Clerk is hereby directed to endorse the Applicant’s current license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to premises located at 1665 Oak Tree Road, Edison, New Jersey.”

4. This Resolution shall take effect immediately.

RESOLUTION R.269-042015

WHEREAS, Hands of Hope at Saint James Episcopal Church, Edison, NJ, has requested a waiver of any and all permit and/or application fees concerning the replacement of Sewer Line for the Parish Hall.

WHEREAS, under the building code, Saint James Episcopal Church, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by Hand of Hope at Saint James Episcopal Church.

RESOLUTION R.270-042015

EXPLANATION: A Resolution rescinding Resolution R.246-042015 adopted on April 8, 2015, so as to void the approval of the person-to-person transfer of the plenary retail consumption license currently held by KMT Caterers, LLC, in light of the delayed sale of same.

WHEREAS, the Township of Edison (“Township”) has issued a plenary retail consumption liquor license, License No. 1205-33-002-007 (“License”), to KMT Caterers, LLC t/a Rosewood (“KMT”) in prior years; and

WHEREAS, Sura Holdings, LLC (“Applicant”) is in contract to purchase the License from KMT and has submitted an application to the Township for a person-to-person transfer of same; and

WHEREAS, the Township adopted Resolution R.246-042015 which approved the aforesaid person-to-person transfer of the License effective as of April 21, 2015; and

WHEREAS, the closing on the sale of the License between KMT and the Applicant has been postponed and the Township desires to rescind Resolution R.246-042015 so as to void the effective date of the person-to-person transfer authorized under same, such that a resolution re-approving the transfer of the License may be adopted with an effective date of transfer coincident with the sale of same.

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

1. R.246-042015 adopted on April 8, 2015 is hereby rescinded.
2. This Resolution shall take effect immediately.

RESOLUTION R.271-042015

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption Liquor License # **1205-33-002-007**, heretofore issued to **KMT Caterers, LLC, t/a Rosewood** for premises located at **2863 Woodbridge Avenue, Edison, NJ 08837**; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

NOW, THEREFORE BE IT RESOLVED that the Edison Township Governing Body does hereby approve, effective **April 22, 2015**, the transfer of the aforesaid Plenary Retail Consumption License to **Sura Holdings, LLC**, for premises located at **2863 Woodbridge Avenue, Edison, NJ 08837** and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to **Sura Holdings, LLC**, effective **May 5, 2015**.”

New License # **1205-33-002-008**

ORAL PETITIONS AND REMARKS

Council President Diehl opened the meeting for public comment.

Irene Wall, 205 Fleet Avenue, spoke about the demolition of homes and asked why we allow one home to be taken down and several to be built on the same property causing overcrowding in the schools. She also felt money could be brought in by collecting fines for the illegal signs in Edison. She felt a permit fee should be charged for the India Day Parade. She asked about the trees that are being removed on Route 27 and if we are receiving money for the tree fund. She asked the fire occupancy limit in the school buildings.

Walt Shneer, Park Way, asked about illegal students in our school system.

Council President Diehl said this occurs in every school district and we have a Residency Officer to track down the offenders.

Bill Brunner, 215 Loring Avenue, said the residency issue should be brought to the Board of Education meeting. He said if a citizen reports an illegal student and it is proven to be the case they can receive a \$250.00 reward.

Esther Nemitz, 162B Fay Street, spoke on the recycling issue that was brought up on Monday evening. She said she recycles her textiles in Woodbridge as they do it the correct way. She said she is reluctant to recycle with Edison until this issue is straightened out.

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

Council President Diehl said Mr. Spiegel provided a lot of good information on Monday regarding this issue.

Councilmember Dr. Prasad said there have been trees removed at the Oak Ridge Golf Course and he asked if a permit is necessary.

Ms. Ruane said a permit is necessary.

The Council retired to Closed Session at 7:52 p.m., on a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez and duly carried. The Township Clerk read the following Resolution into the record:

CLOSED SESSION RESOLUTION

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

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

- 1) Personnel

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

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

The Council returned from Closed Session at 8:25 p.m., on a motion made by Councilmember Prasad, seconded by Councilmember Mascola and duly carried.

On a motion made by Councilmember Prasad, seconded by Councilmember Mascola, with all in favor, the meeting was adjourned at 8:25 p.m.

Robert Diehl
Council President

Cheryl Russomanno
Acting Municipal Clerk