

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

October 28, 2015

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, October 28, 2015 the meeting was called to order at 6:54 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, Business Administrator Ruane, Health Director Elliot, Township Engineer Kataryniak, Recreation Director Halliwell, Deputy Police Chief Anderko, 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 encouraged everyone to get out and vote.

RESOLUTION OF RECOGNITION:

The following Resolution of Recognition was read in its entirety:

WHEREAS, Rabbi Eric Rosin has been serving the needs of his religious community with distinction for the past decade; and

WHEREAS, this past October 31st, Rabbi Rosin was officially installed as the spiritual leader of Congregation Neve Shalom, a religious center located in the Borough of Metuchen and attended by many residents of Edison Township; and

WHEREAS, Rabbi Rosin has been an active leader in the religious community from an early age, from serving as the regional President of Michigan State Youth while in high school to his Judaic studies at Yale University; and

WHEREAS, Rabbi Rosin has been active in Jewish communities throughout his life and travels including while living in Washington D.C. and Los Angeles, bringing a unique vision to his new leadership of Congregation Neve Shalom; and

WHEREAS, Rabbi Rosin earned advanced degrees in law and management and practiced law in the private sector, but left such pursuits to fulfill his religious calling, ultimately studying for ordination at the Ziegler School of Rabbinic Studies, a Conservative seminary in Los Angeles; and

WHEREAS, after ordination, Rabbi Rosin served for two years as the assistant Rabbi of Temple Beth-El in Richmond, Virginia, and later, in the fall of 2004, assumed the pulpit at Keshet Israel Congregation in West Chester, Pennsylvania where he served as the spiritual leader until his appointment as Rabbi at Congregation Neve Shalom in July 2015; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS: The Municipal Council hereby congratulates Rabbi Rosin on his distinguished religious service and leadership and his appointment as spiritual leader at Congregation Neve Shalom.

Council President Diehl opened the meeting for public comment on Resolution of Recognition R.718-102015.

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

Councilmember Shah said she had the good fortune to meet Rabbi Rosin several weeks ago and he is a wonderful man and she is glad we are working with him.

A motion was made by Councilmember Prasad, seconded by Councilmember Karabinchak, to adopt Resolution of Recognition R.718-102015.

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

NAYS - None

APPROVAL OF VOLUNTEER FIREFIGHTERS:

Applications for membership were received by:

Raritan Engine Company #1

John M.A. Reid III

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

NEW BUSINESS

PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR MONDAY, NOVEMBER 9, 2015.

The following Ordinances were introduced by title:

O.1916-2015 ORDINANCE ADOPTS CERTAIN AMENDMENTS TO THE “REDEVELOPMENT PLAN FOR SALSBURG PROPERTIES:” (BLOCK 1142, LOT 21.B; BLOCK 1143, LOTS 27.01 AND 27.02; AKA 1906 ROUTE 27).

On a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez, 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 November 9, 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.719-102015-R.747-102015

Esther Nemitz, 162B Fay Street, on Resolution R.724-102015 said she supports this Resolution as she has many senior friends who have had serious falls. She said she is not sure exactly how it works and would like to see more information presented. On Resolutions R.732-102015 and R.732-102015 she said she would like to understand what is coming back from the Planning Board.

Mr. Northgrave said this would declare those areas in need of rehabilitation and redevelopment. The next step is to formulate a plan to move forward and have discussions with the Planner.

Ms. Nemitz asked if there will be any committees formed or input from the public. She commented that Resolution R.739-102015 is a bond for the Kilmer Housing and she asked the status.

Mr. Kataryniak said the Kilmer housing is complete and the residents have moved in.

Ms. Nemitz asked how many residents there are and what services are being provided.

Councilmember Karabinchak said Madeline Cook is handling this at the moment and he will ask her for that information.

Ms. Nemitz felt Resolution R.746-102015 is a good appointment.

Fred Wolke, 10 Peake Road, on Resolution R.731-102015 said he is not clear what property this is and what they will put there.

Mr. Northgrave said this is an area in need of rehabilitation and it opens up tools available under the local Land Use Law. It gives us a cohesive look at an area but is premature to say what will be done there.

Mr. Wolke said this was done once before and parking was not included. He asked if it will be included this time.

Mr. Northgrave explained the process for public input.

Irene Wall, 205 Fleet Avenue, on Resolution R.746-102015 said she is glad to see this re-appointment. She asked if Resolution R.747-102015 pays for Fireman’s uniforms.

Ms. Ruane said this is LOSAP, the length of service award.

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

The following Resolutions R.719-102015 through R.725-102015 and R.727-102015 through R.747-102015 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. 719-102015

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING OCTOBER 22, 2015

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through October 22, 2015

FUND	AMOUNT
Current	\$14,469,306.32
Affordable Housing	0.00
Capital	543,849.22
Cash Performance	38,606.28
CDBG	0.00
Developers Escrow	35,144.50
Dog (Animal Control)	724.46
Federal Forfeited	5,861.29
Grant Funds	77,350.37
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	445,277.18
Sanitation Fund	198,395.22
Sewer Utility	63,851.11
Tax Sale Redemption	251,451.25
Tree Fund	0.00
Tree Planting	7,935.22
Trust	85,511.77
TOTAL	\$16,223,264.19

/s/ Nicholas C. Fargo
Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.720-102015

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 **\$74,072.29**.

RESOLUTION R.721-102015

EXPLANATION: A Resolution authorizing the refund of sewer charge overpayments to certain property owners in the Township.

WHEREAS, the tax collector, Lina Vallejo of the Township of Edison reports and advises that certain property owners in the Township have overpaid for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that assessed to them for the year 2015; and

WHEREAS, applications have been made to the Tax Collector for refunds of the aforesaid overpayments, and the Tax Collector advises that the property owners are entitled to refunds as provided for below; and

WHEREAS, the municipal council of the Township desires to authorize the refund of these sewer charge overpayments.

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 Municipal Council hereby authorizes the appropriate official of the Township to draw and issue checks to the person(s) in the amounts provided for below, in satisfaction of sewer charge overpayments:

Property Owner:	TURBITT, JAMES R & GAIL
Property Location:	24 CLARK AVE
Block/Lot/Qualifier	93/8
Sewer Account:	2856-0
Amount to be Refunded:	\$55.79
Property Owner:	HARTWYCK AT OAK TREE, INC
Property Location:	t/a Hartwyck at Edison Estates
Block/Lot/Qualifier	10 BRUNSWICK AVE
Sewer Account:	4/2.R3
Amount to be Refunded:	31-0
	\$19,277.17

Property Owner:	COPPOLA, MICHAEL J & DANIELLE M
Property Location:	86 LORING AVE
Block/Lot/Qualifier	232/17
Sewer Account:	5744-0
Amount to be Refunded:	\$77.62
GRAND TOTAL:	\$19,410.58

3. This Resolution shall take effect immediately.

RESOLUTION R.722-102015

Extending Grace Period for 2015 4th Quarter Added/Omitted Bills

WHEREAS, municipalities are required to charge interest on delinquent tax payments under the provisions of R.S. 54:4-66 and R.S. 54:4-67; and

WHEREAS, municipalities are also allowed to grant a grace period during which time interest will not be charged on delinquent tax payments; and

WHEREAS, the Taxpayers of Edison Township are entitled to a grace period wherein interest will not be charged of at least 25 days from the mailing date of the bills or 10 days from due date; and

WHEREAS, 4th quarter 2015 Added/Omitted Bills were printed and mailed in full by Friday October 23, 2015, and extending the grace period until November 23th, 2015 will give the residents more than 25 days for payment without interest.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that interest at the rate of ten-millionth of one percent (0.0000001%) per annum shall be charged on the Added/Omitted tax bills normally due on November 1, 2015 provided that the payment therefore is actually received by the Tax Collector on or before November 23, 2015; and

BE IT FURTHER RESOLVED, that the quarterly Added/Omitted tax installment due for the fourth quarter of Calendar Year 2015 for which payment has not been received by November 23, 2015 shall be charged interest from November 1, 2015 to the date that the payment is actually received by the Tax Collector, to be calculated at the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and at eighteen percent (18%) per annum on any and all delinquent amounts in excess of \$1,500.00.

RESOLUTION R.723-102015

Authorizing Overpayment Refund caused by Successful Tax Court Appeal With Freeze Act

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	AQUILIA MANAGEMENT, INC.
PROPERTY LOCATION	50 NEW ST.
BLOCK / LOT /	755/31.H
QUALIFIER	

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced as follow for the tax years below, including Freeze Act Year(s) as per provisions of N.J.S.A. 54:51A-8 (Freeze Act):

DOCKET NUMBER	TAX YEAR	ASSESSMENT
014431-2013	2013	100,000
014431-2013 Freeze Act	2014	100,000
014431-2013 Freeze Act	2015	100,000

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$502.38** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	162.38
2014	167.48
2015	172.52

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 **\$502.38**.

RESOLUTION R.724-102015

WHEREAS, the New Jersey Department of Human Services (NJ DHS) Division of Aging Services (DoAS) recently issued a notice (NOFA/RFP) as to availability of \$180,000 of grant funds for ten (10) awards to eligible health agencies statewide through the 2015 NJ DHS DoAS *A Matter of Balance: Managing Concerns About Falls (MOB) Program*; and

WHEREAS, falls among New Jerseys seniors and adults with disabilities result in physical, psychological and financial hardships for individuals and place a significant burden on caregivers, social services and healthcare agencies. According to the Center for Health Statistics (CHS) within the NJ Department of Health, 208,016 people were seen in NJ emergency rooms (ERs) in 2013 due to falls. Of these, 73,723 (35.4%) were age 60 and older, including 35,527 (17.1%) who were age 80 and older. On an average day in NJ, 201 older adults are treated in NJ ERs due to falls. While most individuals were treated and released, 24,641 were admitted to the hospital in 2013, including 18,956 (77%) age 60 and older. Total NJ hospital charges associated with older adults who fell in 2013 was a staggering \$1,715,731,800. Many people who fall, even if they are not injured, develop a fear of falling. This fear may cause them to limit activities, which leads to reduced mobility and loss of physical fitness which increases their risk of falling; and

WHEREAS, said 2015 NJ DHS DoAS MOB grant funds are to build infrastructure statewide for the delivery of program services in regard to preventing falls among Senior Citizens throughout New Jersey; and

WHEREAS, the Edison Department of Health and Human Services (EDHHS) Division of Senior Services (DSS) intends to develop and submit a viable application for 2015 NJ DHS DoAS MOB grant funding to serve the Senior Citizens of the Township of Edison; and

WHEREAS, no cash match is required of the Edison Department of Health and Human Services (EDHHS) Division of Senior Services (DSS) to accept a grant award of up to \$12,000.00 from the 2015 NJDHS DoAS MOB; and

WHEREAS, the Edison Department of Health and Human Services Division of Senior Services shall utilize all grant funds awarded to it by the 2015 NJDHS DoAS MOB as described in its application for said funds 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 grant application at a regularly-scheduled, Public Meeting on the evening of Wednesday, October 28, 2015.

RESOLUTION R.725-102015

RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$1,000 FROM WAL-MART FOUNDATION TO SUPPORT EDISON MUNICIPAL ALLIANCE PROGRAMMING

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of \$1,000 from the Wal-Mart Foundation; and

WHEREAS, the Edison Department of Health and Human Services is desirous of accepting those grant funds in support of various programs conducted by the Edison Municipal Alliance; and

WHEREAS, these programs have a significant benefit to the residents of Edison; and

WHEREAS, no matching funds are required to accept this grant award;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept said funds in the amount of \$1,000, and that the Mayor, or her designee is hereby authorized to execute any and all documents with respect to this grant described herein.

RESOLUTION R.727-102015

WHEREAS, the Township of Edison 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 FY 2016 (July 1, 2015 to June 30, 2016) Municipal Alliance Program; and

WHEREAS, the Edison 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 Edison; 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 services 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 will accept the funds in connection with said project from the County of Middlesex and make disbursements in accordance with said application; and the appropriate Township Officials are hereby authorized to enter into agreements and contracts with the County of Middlesex and other agencies and corporations for funding and implementation of this Municipal Alliance Grant program.

RESOLUTION R.728-102015

EXPLANATION: A Resolution ceremonially renaming Oak Grove Lane in the Township as "MGCC Way" for a day in commemoration of the 100 year anniversary of the Metuchen Golf & Country Club.

WHEREAS, the Metuchen Golf and Country Club was founded in 1915 and is proud to celebrate 100 years as a second home to its members; and

WHEREAS, the Metuchen Golf and Country Club offers an oasis of recreation in an elegant environment and is known for its championship 18-hole golf course, beautiful clubhouse and vibrant social life; and

WHEREAS, throughout its history the Metuchen Golf and Country Club has proven to be an exemplary corporate citizen in the Township of Edison; and

WHEREAS, the Mayor and Municipal Council desire to help commemorate the 100 year anniversary of MGCC by ceremonially renaming Oak Grove Lane in the Township as “MGCC Way” for a day.

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 Mayor and Municipal Council hereby ceremonially rename Oak Grove Lane in the Township as “MGCC Way” for the day of Sunday, November 22, 2015 in honor of the 100 year anniversary of the Metuchen Golf and Country Club.
3. This Resolution shall take effect immediately.

RESOLUTION R.729-102015

EXPLANATION: A Resolution authorizing the release of a performance bond and cash deposit with respect to development at 399, 479 and 499 Thornall Street.

WHEREAS, the Planning Board (“Planning Board”) of the Township of Edison (“Township”) granted preliminary and final subdivision and site plan approval (“Approval” as to Application Nos. P4959 and P16-00/01) to M. Alfieri Co., Inc. (“Original Applicant”) by resolution adopted March 14, 2005 with respect to proposed office and parking garage development to be constructed on the property commonly known on the Township tax maps as Block 676, Lots 2.B4, 2.03 and 2.04 (“Property”, aka 399, 479 and 499 Thornall Street); and

WHEREAS, as a condition of Planning Board approval, the Original Applicant tendered to the Township a performance bond (No. 1012881 issued by Lexon Insurance Company) in the amount of \$2,017,552.62 (“Bond”) and a cash deposit in the amount of \$224,169.18 (check number 371754202 posted on September 15, 2006) (“Cash Deposit” and, together with the Bond, the “Performance Guarantee”) as security for the installation of certain site improvements at the Property; and

WHEREAS, the Township and the Original Applicant entered a Developer Agreement dated May 4, 2006 (“Developer Agreement”) with respect to the development of the Property pursuant to the Approval; and

WHEREAS, by Resolution R.139-032011 adopted by the municipal council of the Township (“Municipal Council”) on March 9, 2011, the Township authorized the reduction of the Bond to \$907,885.17 and the reduction of the Cash Deposit to \$100,876.13; and

WHEREAS, due to market conditions, the Original Applicant constructed the parking deck and other site improvements authorized by the Approval, but never constructed the new twelve story office building as contemplated by the Approval; and

WHEREAS, Original Applicant has subsequently transferred the Property to affiliated entities, and the site improvements at the Property have been finished and in place for several years; and

WHEREAS, the engineer of the Township (“Township Engineer”) has inspected the Property and recommends the Township’s acceptance of the site improvements currently in-place and the release of the Performance Guarantee, without requiring the posting of a two-year maintenance bond, subject to the Original Applicant’s (and affiliated entities now holding title to the Property) (1) payment to the Township of all outstanding charges and costs as contemplated by the Developer Agreement and (2) entering into a first amendment to the Developer Agreement (“First Amendment” in the form attached hereto as *Exhibit A*) requiring that any new construction at the Property pursuant to the Approval will require a new developer’s agreement and the posting of a new performance bond; and

WHEREAS, the Municipal Council desires to accept as complete those site improvements currently in place at the Property and authorize the full release of the Performance Guarantee, on the conditions stated herein.

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 Original Applicant and its affiliated entities now holding title to the Property are released from liability pursuant to the Performance Guarantee. The Chief Financial Officer of the Township is hereby authorized to return the Cash Deposit, after the offset of all outstanding charges and

costs to be paid by the Original Applicant (and/or its affiliates now in title to the Property) pursuant to the Developer Agreement.

3. The Mayor is authorized to execute the First Amendment in the form attached hereto as *Exhibit A*, with such additions or changes as approved by the Township's counsel.

4. A copy of this Resolution and the First Amendment shall be made available for public inspection at the offices of the Township Clerk.

5. This Resolution shall take effect immediately.

RESOLUTION R.730-102015

EXPLANATION: A Resolution Authorizing the Execution of a Memorandum of Understanding Between the Township of Edison and the New Jersey Office of Emergency Management

WHEREAS, the Township of Edison (the "Township") has been deemed eligible to apply for and receive certain Federal funding under certain FEMA Public Assistance and/or Hazard Mitigation Programs for presidentially declared major disasters, and part of the application process requires the Township, as a sub-grantee, to execute a Memorandum of Understanding ("MOU") with the grantee of the funds, the New Jersey Office of Emergency Management (the "NJOEM"); and

WHEREAS, the MOU sets forth the responsibilities of the Township in participating in the Programs and the Township's agreement to adhere to these responsibilities as a condition of receiving funding; and

WHEREAS, the MOU also sets forth the responsibilities of the NJOEM, which includes, among other things, providing technical assistance, advise, and to communicate any changes in regulations, policy or procedure which may affect the grant with the Township; and

WHEREAS, due to unforeseen deadlines for submission of the executed MOU to the NJOEM, it was necessary to execute the MOU and submit it to the NJOEM to ensure a timely submission and not effect potential funding to the Township under the Programs, and consequently, there is now a need to retroactively approve the execution of the MOU.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Council hereby retroactively approves the execution of the MOU between the Township and the New Jersey Office of Emergency Management.

RESOLUTION R.731-102015

EXPLANATION: A resolution designating the property bounded by Amboy Avenue and Hoover Avenue to the North, I-95 New Jersey Turnpike to the East, Pierson Avenue to the West and the Middlesex Greenway to the South as an 'area in need of rehabilitation' pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* as amended (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute "areas in need of rehabilitation," as defined in the Redevelopment Law; and

WHEREAS, in accordance with the Redevelopment Law, the municipal council (the "**Municipal Council**") of the Township of Edison (the "**Township**") has determined to investigate whether the property bounded by Amboy Avenue and Hoover Avenue to the North, I-95 New Jersey Turnpike to the East, Pierson Avenue to the West and the Middlesex Greenway to the South, as more fully detailed on the map attached hereto as *Exhibit A* (the "**Study Area**") should be designated as an area in need of rehabilitation; and

WHEREAS, Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, provides that prior to the adoption of a resolution designating property (such as the Study Area) as an area in need of rehabilitation, the Municipal Council must first submit a copy of the proposed resolution designating such property to the Township planning board (the "**Planning Board**") for review; and

WHEREAS, on May 27, 2015, the Municipal Council, acting by resolution, referred a copy of a resolution, substantively as written herein, to the Planning Board for review and comment pursuant to *N.J.S.A. 40A:12A-14*; and

WHEREAS, Susan S. Gruel, P.P., engineer to the Township, prepared a report for the Township dated May 2015, a copy of which is attached hereto as *Exhibit B* (the "**Rehabilitation Report**"), which finds that more than half of the housing stock in the Study Area is at least 50 years old and that a program of rehabilitation will help prevent further deterioration and promote the overall development of the Township; and

WHEREAS, based on the Rehabilitation Report, the Planning Board has determined that the Study Area satisfies the statutory criteria to be designated as an area in need of rehabilitation under Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, and has transmitted to the Municipal Council the recommendation that it adopt a resolution, substantively as written herein, which designates the Study Area as an area in need of rehabilitation; and

WHEREAS, the Municipal Council believes that the designation of the Study Area as an area in need of rehabilitation, and the development of a program of rehabilitation therefor, is expected to prevent further deterioration and promote the overall development of the Township in accordance with the requirements of Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14*.

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

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

Section 2. The Municipal Council hereby designates the Study Area as an “area in need of rehabilitation” pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14*.

Section 3. The Municipal Council hereby directs that the Township Clerk transmit a copy of this Resolution to the Commissioner of the Department of Community of Affairs for review in accordance with the Redevelopment Law.

Section 4. A copy of this Resolution shall be available for public inspection at the offices of the Township.

Section 5. This Resolution shall take effect immediately.

RESOLUTION R.732-102015

EXPLANATION: A resolution designating the property commonly known as 844 King Georges Post Road (Block 390.A, Lot 1.A4) as an ‘area in need of redevelopment’ pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the municipal council (“**Municipal Council**”) of the Township of Edison (the “**Township**”) must authorize the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, on May 27, 2015, the Municipal Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 755.B, Lot 38 and Block 390.A, Lot 1.A4 (hereinafter the “**Initial Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment, which designation would authorize the Township and Municipal Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on October 19, 2015, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that a portion of the Initial Study Area, namely Block 30.A, Lot 1.A4 (“**Study Area**”) qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the Municipal Council has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

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

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

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Municipal Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area (*i.e.* Block 30.A, Lot 1.A4, commonly known as 844 King Georges Post Road) is hereby designated

an area in need of redevelopment without the power of eminent domain, pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the “**Non-Condemnation Redevelopment Area**”).

Section 4. The Municipal Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The Municipal Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condemnation Redevelopment Area, as reflected on the tax assessor’s records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.733-102015

EXPLANATION: Resolution Refunding Inspection Fees to Park & Kang Associates, LLC for Application #P08-08/09, Account #7760296066

WHEREAS, the Township Engineer advises that an inspection has been made of the above property 3848 Park Avenue, Block 590, Lot 7-B-1, are complete and in accordance with site plan approval and Municipal standards of the Township of Edison: and

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

WHEREAS, the Township Engineer recommends the release of the inspection fees posted in march 15, 2010 in the amount of \$25,106.00 in account #7760296066

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 \$11,069.78, which represents the amount due and owing the applicant, be returned to Park & Kang Associates, LLC having an address at 3848 Park Avenue, Edison, NJ 08820

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$11,069.78 plus accrued interest, if applicable, 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 **\$11,069.78**, in account #7760296066 to the applicant.

RESOLUTION R.734-102015

EXPLANATION: Resolution Refunding Inspection Fees to Torsiello 2163-2177 Oak Tree Road, for Application #P35-01/02, Account #7200024977

WHEREAS, the Township Engineer advises that an inspection has been made of the above property 2163-2177 Oak Tree Road Block. 555 and Lots: 1, 2A, 3 & 5, are complete and in accordance with site plan approval and Municipal standards of the Township of Edison: and

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

WHEREAS, the Township Engineer recommends the release of the inspection fees posted in May 2004 in the amount of \$23,243.49 in account #7200024977

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 **\$9,291.90** which represents the amount due and owing the applicant, be returned to **Torsiello Organization 2163-2177 Oak Tree Road having an address at 3848 Park Avenue, Edison, NJ 08820**

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$9,291.90 plus accrued interest, if applicable, 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 **\$9,291.90**, in account #7200024977 to the applicant.

RESOLUTION R.735-102015

EXPLANATION: With this resolution, the Township Council amends Resolution R.597-092015 and approves the receipt of the FY2015 Community Development Block Grant in the final amount of \$543,072 and approves the projects and activities funded by this grant.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON AMENDING RESOLUTION R.597-092015 AND APPROVING THE FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2015 CONSOLIDATED ANNUAL ACTION PLAN

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which benefit low and moderate income families, or other urgent community needs; and

WHEREAS, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2015 Community Development Block Grant in the amount of \$543,072;

WHEREAS, the Township can budget a total of \$543,072 to fund eligible 2015 activities that are attached and listed on the Amended Proposed Summary of FY15 Annual Action Plan Allocations, that will be carried out during the 2015 Program Year;

WHEREAS, A Public Hearing was held on February 18, 2015 to provide citizen participation in the development of the Consolidated Annual Action Plan for Fiscal Year 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:

Section 1. The application for the Consolidated Annual Action Plan for Fiscal Year 2015 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

Section 2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for \$543,072, which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY15 Annual Action Plan Allocations and listed in the 2015 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

Section 4. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

Section 5. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY15 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2015 Consolidated Annual Plan.

Section 6. The CDBG Coordinator shall forward to each Sub-Grantee (Subrecipient) a copy of all applicable United States Housing and Urban Development Regulations concerning conflicts of interest.

RESOLUTION R.736-102015

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Keiffer & Co. Inc. for the Zoning Board Application Z52-2013.

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Keiffer & Co.Inc. for a project located at Pet Smart Route 27., Edison, N.J.in Block 383 Lot 13.01 and Application Z52-2013; and

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

WHEREAS; on November 11,2013, Kieffer & Co. Inc. posted fees on deposit with the Township of Edison in the account # 7760296258 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 \$48.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Kieffer & Co. Inc. and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$48.00 plus accrued interest, if applicable be refunded to Keiffer & Co. Inc. 585 Bond Street , Lincolnshire , IL, 60069

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 48.00, plus accrued interest, if applicable, in account #7760296258 to the applicant.

RESOLUTION R.737-102015

EXPLANATION: This resolution provides for refund of applicant fee posted for Residential Continued Certificate of Occupancy (C.C.O.).

WHEREAS, Residential Continued Certificate of Occupancy fee was posted in the amount of \$150.00 by Susan Lauricella, Weichert Realtors, for Ruth Szurley, 30 Hill Rd, Edison, NJ 08817; and

WHEREAS, the resident is a Senior Citizen and the application fee was paid for due to the homeowner no longer residing in Edison Township during the time Susan Lauricella applied for the CCO at 30 Hill Rd., according to the township ordinance. Fee was waived as per administration.

WHEREAS, it is therefore appropriate that the fee in the amount of \$150.00 be refunded to the realtor Susan Lauricella at 9 Amman Avenue, Edison, NJ 08817 ; and

WHEREAS, the Township Engineer recommends the refund of the Residential Continued Certificate of Occupancy Fee in the amount of \$150.00 for the above referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum of \$150.00 posted by Susan Lauricella for Residential Continued Certificate of Occupancy for 30 Hill Rd. be refunded to Susan Lauricella at 9 Amman Avenue, Edison, NJ 08817

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 applicant.

RESOLUTION R.738-102015

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 May 22 2015, a Construction (Building) Permit fee, check #24696, permit #2015-1544, was posted in the total amount of \$77.00 by the contractor, 1800 Heaters Inc., having offices at 2 Gourmet Lane, Suite G&H Edison, NJ 08837; and

WHEREAS, the application was submitted for a water heater at 43 Rosewood Rd. Edison, NJ 08817, by the hired contractor; 1800 Heaters Inc., who did not make known to the Construction Code Enforcement Division that the homeowner, Diana Allen Spaventa, is a bonafide Edison Senior Resident who is eligible for 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 bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$75.00, derived from the \$77.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the contractor 1800 Heaters Inc; and

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2015-1544, in the amount of \$75.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$75.00 on construction permit fees posted by 1800 Heaters Inc. for 43 Rosewood Rd. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$75.00 from the Refund of Revenue Fund to the Contractor, 1800 Heaters Inc., 2 Gourmet Lane, Suite G&H Edison, NJ 08837 for 43 Rosewood Rd Edison, NJ 08817.

RESOLUTION R.739-102015

EXPLANATION: Resolution Refunding Cash Performance & Performance Bond to Kilmer Homes I, LP & Kilmer Homes II, LP c/o Joseph Alpert Truman Drive Application #P09-2012, Account #7762495393 And Performance Bond #80001913

WHEREAS, the Township Engineer advises that an inspection has been made of Kilmer Homes Truman Drive Application #P0-2012 Block: 3-E Lot: 3.014, and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance Check posted on April 29, 2014 in the amount of **\$150,645.54**, plus accrued interest, if applicable on deposit in account #7762495393 with the Township of Edison, principal being Kilmer Homes, I LP & Kilmer Homes II, LP having offices at One Parker Plaza, Fort Lee, NJ 07024, and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$150,645.54** plus accrued interest, if applicable, on deposit in account #7762495393 to the applicant.

WHEREAS, the Township Engineer recommends release of performance bond No. **800001913** posted on April 22, 2014 of the Atlantic Specialty Insurance Company in the amount of \$1,355,809.86.

RESOLUTION R.740-102015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO THE HOSE SHOP, INC. FOR HYDRAULIC SYSTEM SUPPLY AND REPAIR SERVICE

WHEREAS, bids were received by the Township of Edison on August 5, 2015 for Public Bid No. 15-07-21-Hydraulic System Supply and Repair Service; and

WHEREAS, THE HOSE SHOP, INC., 100 New England Ave., Piscataway, NJ 08854 submitted the lowest legally responsible, responsive bid; and

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

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein 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 THE HOSE SHOP, INC., 100 New England Ave., Piscataway, NJ 08854 for Hydraulic System Supply and Repair Service, 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 \$30,000.00 and any other necessary documents, with THE HOSE SHOP, INC. as described herein.

RESOLUTION R.741-102015

RESOLUTION REJECTING THE SOLE BID FOR STREET SWEEPER

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on August 28, 2015 for Public Bid No. 15-08-18 BROOM STREET SWEEPER with a bid opening date of September 15, 2015; and

WHEREAS, there was one bidder; and the price of this bid was a total of \$203,835.00; and

WHEREAS, Section 40A:11-13.2d allows for the rejection of bids when the contracting unit wants to substantially revise the specifications for the goods or services; and

WHEREAS, the Township of Edison wishes to reject the sole bid pursuant to this section; 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, County of Middlesex, State of New Jersey as follows:

1. The sole bid for Public Bid No. 15-08-18 BROOM STREET SWEEPER is hereby rejected pursuant to N.J.S.A 40A:11-13.2d.
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.742-102015

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO NORCIA CORPORATION FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, quotes were solicited by the Township of Edison for retrofitting of three trucks for plows (G-8, G-9 and G-11); and

WHEREAS, Norcia Corporation, 451 Blackhorse Lane, North Brunswick, NJ 08902, submitted the lowest quote for in the amount of \$3,578.00 each truck for a total of \$10,734.00; and

WHEREAS, funds in the amount of \$10,734.00 have been certified to be available Account Number T-13-00-0013-000-000; 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:

1. All quotes have been reviewed, and the quote as submitted by Norcia Corporation, 451 Blackhorse Lane, North Brunswick, NJ 08902 for retrofitting of three trucks for plows is determined to be the lowest quote.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$10,734.00** are available for the above in Account No. **T-13-00-0013-000-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.743-102015

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE SEWER PUMP RENTAL CONTRACT WITH XYLEM DEWATERING SOLUTIONS INC. D/B/A GODWIN PUMPS OF AMERICA INC. IN AN AMOUNT NOT TO EXCEED \$50,000.00

WHEREAS, XYLEM DEWATERING SOLUTIONS INC. D/B/A GODWIN PUMPS OF AMERICA INC., 6 Connerty Court, East Brunswick, NJ 08816 was awarded Contract No. 15-08-25 SEWER PUMP RENTALS on March 25, 2015 through Resolution R.216-032015 for a one year period effective April 10, 2015 in the amount of \$50,000.00 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, additional funds in the amount of \$50,000.00 are required to replenish and complete the term of the contract; and

WHEREAS, the Township recommends an additional amount not to exceed \$50,000.00 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 \$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)).

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 \$50,000.00 and any other necessary documents with XYLEM DEWATERING SOLUTIONS INC. D/B/A GODWIN PUMPS OF AMERICA INC. as described herein.

RESOLUTION R.744-102015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SUDEEP MALLIK FOR THE PRE-SCHOOL PROGRAM**

WHEREAS Sudeep Mallik made payment in the amount of \$111.00 for his child Shivam Mallik's participation in the 3 Year Old Pre-School Program at the Stelton Community Center; and

WHEREAS Shivam Mallik was removed from the program before he started in the month of September, 2015.

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 \$111.00 to Sudeep Mallik, 33 Woodbury Rd., Edison, NJ 08820, which represents the amount for the 3 Year Old Pre-School Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$111.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.745-102015

A RESOLUTION DECLARING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, domestic violence is a serious crime that affects people of all races, ages, genders, and income levels; and

WHEREAS, Domestic violence is widespread and affects over four million Americans each year; and

WHEREAS, one in three Americans have witnessed an incident of domestic violence; and

WHEREAS, children that grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, only a coordinated community effort will put a stop to this heinous crime; and

WHEREAS, Domestic Violence Awareness Month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support not only for the victims of domestic violence but also for the numerous organizations and individuals who provide critical advocacy, services, and assistance to those victims.

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, New Jersey, the month of October as Domestic Violence Awareness Month and urge the citizens of Edison to work together to eliminate domestic violence from our community.

RESOLUTION R.746-102015

WHEREAS, it is the duty of the Municipal Council to re- appoint a member to the Housing Authority; and

WHEREAS, the Municipal Council has selected Christopher Mazauskas to be appointed to said Authority.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that 236 Goodwin Street, Perth Amboy be and he is hereby appointed as a Member of the Housing Authority, said term to expire November 9, 2020.

RESOLUTION R.747-102015

RESOLUTION AUTHORIZING THE 2014 LOSAP PAYMENT TO AIG VALIC C/O JP MORGAN CHASE IN THE AMOUNT OF \$35,000.00

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

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

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

WHEREAS, for the 2014 contribution, there are thirty-five (35) eligible members at one thousand dollars (\$1,000.00) each for a total amount of thirty thousand dollars (\$35,000.00); and

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

NOW, THEREFORE IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the proper Township officials shall make the 2014 LOSAP payment to AIG VALIC C/O JP MORGAN CHASE, PO BOX 301154, Dallas, TX 75303-1154 in the amount of \$35,000.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$35,000.00 are available for the above payment in Account No. 4-01-24-0230-000-028.

/s/ Nicholas C. Fargo
Chief Financial Officer

The following Resolutions will be voted upon separately:

RESOLUTION R.726-102015

RESOLUTION A UTHORIZING THE EDISON MUNICIPAL ALLIANCE TO DONATE \$1400.00 TOWARDS HANDS OF HOPE COMMUNITY FOOD PANTRY

WHEREAS, Hands of Hope Community Food Pantry serves as a vital resource to Edison families in need of foods and provisions; and

WHEREAS, the Edison Municipal Alliance also provides services and resources for Edison families and refers many of these families to the Hands of Hope Community Food Pantry; and

WHEREAS, the Edison Municipal Alliance (EMA) would like to donate \$1400.00 raised by the EMA to the Hands of Hope Community Food Pantry so that this significant benefit to the residents of Edison continues; and

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 provide payment in the amount of \$1400.00 to Hands of Hope for the Community Food Pantry, 2136 Woodbridge Ave., Edison, NJ 08817

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed \$1400.00 are available for the above donation in Account No. T-01-55-0279-000-000.

/s/ Nicolas Fargo
Chief Financial Officer

Councilmember Mascola said this organization does an excellent

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

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

NAYS - None

COMMUNICATIONS

- a. Received a memo from Lois Wolke regarding Do Not Knock & Do Not Drop along with Woodbridge News Letter.
- b. Letter received from Madeline Cook regarding re-appointment of Edison Housing Authority Commissioner.

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

ORAL PETITIONS AND REMARKS

Council President Diehl opened the meeting for public comment.

Lois Wolke, 10 Peake Road pointed out that there are a group of residents present that line near the Toth Center.

Council President Diehl thanked them for coming but said at present there is no agreement and they are still waiting for further information.

Jim Walsh, 8 Yuro Drive, regarding the Court decision on EMT pay for the Firefighters said Ms. Ruane said they are not providing EMT services and that is not true. They have been providing EMT services and he read from the Court decision. He said they are still responding but not to as many as before as they are not being sent out by the dispatchers. He said they are trained and should be sent out.

Councilmember Mascola asked for an explanation.

Chief Latham explained it depends on the nature of the call. He said Police and ambulance may be on their way and they don't want a parade.

Councilmember Mascola said he heard the JFK services cost \$2400 per call. He said he is not sure what Fire charged but they did soft billing and he is not sure why we are not using them and helping the residents at the same time.

Chief Latham said we have a contract with JFK and they are private so they cost a little more.

Councilmember Mascola asked for the figures from the lawsuit.

Ms. Ruane said she is working on them.

Councilmember Mascola commented that she says that all the time but we should have some idea of how much this will cost as it has been going on since 2011. He said he is still amazed that we cannot get that information.

Council President Diehl said he has had complaints on the cost of transportation to the hospital and he asked where the prices are coming from.

Tom Goeckel, 77 Safran Avenue, said this is the first time he has been here in a year and Mr. Roderman is missing. He said he was an excellent employee and he will be missed. He complimented the Road department on fixing the potholes. He also said the 96 roads were paved this year and Safran was not one of them. He said there was an article in the newspaper stating the average Police salary in New Jersey is \$88,000 compared with New York City at \$72,000. He asked the average salary in Edison.

Councilmember Gomez said the average Police salary is hard to figure.

Council President Diehl said this should be simple math.

Mr. Goeckel said Human Resources should have that information. He asked why a municipality the size of Edison does not use civil service. He said with all the negative news about the Police department he cannot understand why someone on the Council has never suggested civil service. He said Woodbridge used civil service and the Police are never in the newspapers. He asked if there are any updates from the County on the road improvements to May Street.

Mr. Kataryniak said the County is 85% finished with the construction plans and he will bring them to the Council when more information is available.

Irene Wall, 205 Fleet Avenue, reminded everyone to vote on November 3rd. She said you do not have to vote the party line just chose the best for Edison. She asked who proposed the Resolution regarding the Toth Center.

Council President Diehl said this has been in the works for three years.

Ms. Wall said the people in the area had no idea they were being thrown under the bus. She said Ms. Wolke investigated this on the internet and Mr. Stochel found out this was Green Acres. She asked how much investigating was done by the Council. She said the residents pay for the Toth Center and are not willing to give it up for \$1.00. She felt how dare they disrespect the people who put them in office.

Council President Diehl said it is unfair to assume that this Council has an agenda about this at all. He said he saw a flyer being circulated that said there is a strong possibility that this would be passed. He said he does not like scare tactics and the only thing done was that the Council asked for more information. He felt the literature was unethical and the scare tactics unfair.

Ralph, Resident, 41 Brookville Road, asked why we are even considering putting this in the Toth Center. He said he is ashamed of the Council if this goes through. He said his grandchildren play in that park. He said the residents do not want this brought to Edison.

Kelly O'Connor, 46 Markham Road, said as the mother of two small children who play in that park she strongly opposes this.

Steve, Resident, 83 Idlewild Road, said traffic and children that play in the area are his main concerns. This is a residential area and they want to keep it that way.

Bonnie Thomas, 59 Idlewild Road, said she is disappointed that something like this would even be considered. She felt when it came before the Council they should have said we were not interested.

AJ Nayee, 93 Pierson Avenue, said he has been attending the Council meetings for the last two or three months. He has been knocking on doors and hearing residents concerns. He commented that the Mayor works for JFK hospital and he hopes the EMS contract with JFK is not unethical. He said he wants to make sure the residents are not overpaying for services. He also felt that average salaries can be figured in a matter of minutes as it is not rocket science.

Councilmember Gomez said he appreciates that this is simple math but they do not have the figures in front of them. He said it is unfair to say that this Council has not been transparent. He said random questions come up and the information is not always immediately available. He said the JFK contract was done by the previous Administration and due diligence was done.

Tom Goeckel, 77 Safran Avenue, said he has lived here for 86 years. He asked what is happening on King Georges Road.

Mr. Northgrave said the Resolution will facilitate re-investment in the area.

Mr. Goeckel said he does not know why this is needed as the area looks better now than ever. He commented that Woodbridge is making a park along the river in Keasby and felt we should be able to use the river in Edison after all these years.

Council President Diehl said that is vision we have but we are just not there yet and he hopes he is around to see it.

Mr. Northgrave said that is the purpose of redevelopment.

Lois Wolke, 10 Peake Road, said on June 10, 2009, Township Attorney Lehrer made a statement concerning political statements being made at Council Meetings. He said anyone can speak about any issue they want as long as they are courteous.

Mr. Northgrave said he disagrees.

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.

Councilmember Dr. Prasad said he was promised the amount of money in the tree fund.

Ms. Ruane said the amount is \$75,601.

Councilmember Dr. Prasad asked the public entertainment permit process.

Ms. Ruane explained the permitting process for events with over 1000 people.

Mr. Northgrave asked for a closed session.

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) Litigation
- 2) 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.

Having no further business to discuss, on a motion made by Councilmember Prasad, seconded by Councilmember Mascola, the meeting was adjourned at 8:50 p.m.

Robert Diehl
Council President

Cheryl Russomanno, RMC
Municipal Clerk