

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING**

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:06 p.m. by Council President Diehl, followed by the Pledge of Allegiance.

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

Also present were Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Northgrave, Business Administrator Ruane, 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.

4. REVIEW OF MINUTES:

a. and b. Accepted as submitted.

5. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Gomez said the Finance Committee met with the CFO for an update and they are very happy with the work that has been done in the Finance Department. He said there has been significant progress with Government Strategy Group and he thanked Ms. Ruane for working closely with them.

Council President Diehl thanked the Finance Committee and the volunteers for all the hours they put in.

6. POINTS OF LIGHT

None

7. FROM THE BUSINESS ADMINISTRATOR:

a. and b. No comments were made.

c. and d. Councilmember Karabinchak asked for the highlights of the contract.

Ms. Ruane said they have been out of contract since 2012 and she gave the highlights of each.

e. No comment was made.

Councilmember Shah asked how many times we pick up garbage for the Board of Education.

Ms. Ruane said we collect trash and recycling from every school every day.

Councilmember Gomez said the Finance Committee will be looking into this along with the sewer fees.

8. FROM THE DEPARTMENT OF FINANCE:

a. through h. No comments were made.

9. FROM THE DEPARTMENT OF LAW:

a. through e. No comments were made.

f. This item was added to the agenda to accept a roadway improvement.

10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through e. No comments were made.

11. FROM THE PUBLIC WORKS:

a. through f. No comments were made.

12. FROM THE DEPARTMENT OF RECREATION

a. through e. No comments were made.

13. FROM THE CHIEF OF FIRE:

a. and b. No comments were made.

- 14. **FROM THE CHIEF OF POLICE:**
 - a. through c. No comments were made.

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

Councilmember Shah said the meeting was held on December 14th. The Resolution concerning Oak Tree Road and Ventnor Drive was passed along with the Resolution for Open Road Honda. She thanked the Planning Board for all their hard work throughout the year, especially Lillian Triola, Planning Board Secretary.

16. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

O.1917-2015 No comment was made.

O.1918-2015 No comment was made.

- 17. **COMMUNICIATIONS:**
 - a. No comment was made.

18. **DISCUSSION ITEMS:**

Council President Diehl:

- a. He said there have been a lot of questions regarding ambulance rates. He said he will be in discussion with JFK and report his findings next year.
- b. He said he will be working with the Police to gather information concerning residents selling guns from their homes. He will continue to investigate this into the new year as this is a very serious issue and must be addressed.

The Council retired to Closed Session at 6:46 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) Potential Litigation
- 2) Contract Negotiations

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 6:59 p.m., on a motion made by Councilmember Karabinchak, seconded by Councilmember Gomez and duly carried.

Councilmember Gomez:
None

Councilmember Karabinchak:

- a. He asked for a road paving update.

Mr. Kataryniak said we are taking advantage of the good weather before the asphalt plants close down for the season. We should finish Phase I before the end of the year.

- b. He asked the status of the BAPS fee waiver request.

Mr. Kataryniak said we are going back and forth with their engineer over the cost.

Councilmember Lombardi:

None

Councilmember Mascola:

Absent

Councilmember Prasad:

None

Councilmember Shah:

- a. She asked how many Neighborhood Watch programs we currently have. She believes we were up to forty.

Chief Bryan said he will check.

- b. She asked about the hiring of new Police Officers on December 28th. She said this is very important to Edison and she asked what are numbers will be after we hire.

Chief Bryan said we will swear in fourteen new hires on the December 28th which will bring our number up to 185.

- c. She asked for an update on the body-cams.

Chief Bryan said we are testing them now.

- d. She thanked Councilmembers Prasad and Mascola for their years of devotion to public service. She said Councilmember Prasad was only the second member of South Asian Descent elected to the Council and she felt this paved the way for herself.

APPROVAL OF MINUTES

On a motion made by Councilmember Karabinchak, seconded by Councilmember Lombardi, and duly carried, the Minutes of the Closed Session Meeting of October 28, 2015 & November 9, 2015 were accepted as submitted.

APPROVAL OF VOLUNTEER FIREFIGHTERS

Applications for membership were received by:

Raritan Engine Company #1
Steven A. Deinzer

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

COUNCIL PRESIDENT’S REMARKS

Council President Diehl said we will be presenting plaques this evening to Councilmembers Mascola and Prasad in recognition of their eight years of service to the Township. He said there have been a lot of late nights, committee meetings and they have all spent a lot of time together. He felt it takes a lot of courage just to run for office. You have to put yourself out there which is not an easy thing to do. He said you must be prepared at all times to speak publicly. He said Councilmember Dr. Prasad and Councilmember Mascola did a good job serving the Township for eight years. They always did what they thought was best for Edison.

Council President Diehl read the plaque and presented it to Councilmember Dr. Prasad.

Councilmember Dr. Prasad thanked the Council and the people of Edison.

Councilmember Karabinchak said he first worked with Dr. Prasad the first time the Dushara Festival came to Edison. He said Dr. Prasad worked relentlessly to bring the festival to Edison and he worked every day to make Edison a better place.

Councilmember Gomez echoed what his Council colleagues have said. He said on a personal level he said the time spent campaigning will be the times he remembers.

Councilmember Lombardi said sometimes being on the Council can be a thankless job but Councilmember Dr. Prasad and Councilmember Mascola always approached it with hard work and dedication.

Council President Diehl said he will personally deliver Councilmember Mascola's plaque to him.

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinances, which was introduced by Title on December 9, 2015, passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

O.1917-2015 ORDINANCE AMENDS THE EDISON TOWNSHIP CODE OF GENERAL ORDINANCES TO IMPLEMENT VARIOUS RESTRICTIONS TO ON-STREET PARKING ON SEVERAL STREETS WITHIN THE HELLER PARK INDUSTRIAL COMPLEX (GENERALLY LOCATED IN AND AROUND THE INTERSECTION OF CORPORATION ROW AND EXECUTIVE AVENUE IN EDISON).

The above Ordinance O.1917-2015 can be found in its entirety in Ordinance Book # 26.)

Council President Diehl declared the Public Hearing opened for O.1917-2015.

Hearing no comments, on a motion made by Councilmember Lombardi, 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, Lombardi, Prasad, Shah, and Council President Diehl

NAYS - None
Councilmember Mascola was absent

The following Ordinances, which was introduced by Title on December 9, 2015 , passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

O.1918-2015 ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$714,000 FOR CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES IN CONNECTS ION WITH THE LAYOFF OR RETIREMENT OF TOWNSHIP EMPLOYEES.

The above Ordinance O.1918-2015 can be found in its entirety in Ordinance Book # 26 .)

Council President Diehl declared the Public Hearing opened for O.1918-2015

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

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

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

NAYS - None
Councilmember Mascola was absent

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Diehl opened the meeting to the public for comments on Proposed Resolutions R.834-122015 through R.888-122015

Maryann Hennessey, 20 Carmello Drive, on Resolution R.839-122015 she asked the dollar amount. On Resolution R.849-122015, she asked what this is in regards to.

Mr. Northgrave said the Board of Education decided they do not want to develop this property so the Township will use it towards their COAH compliance.

Ms. Hennessey commented that on Resolutions R.877-122015 and R.878-122015 we are purchasing vehicles. She asked why we are not purchasing both vehicles through the Cranford Cooperative Pricing System.

Ms. Ruane said one of them is cheaper under the contract.

Ms. Hennessey, on Resolution R.879-122015, asked what we are spending this money on.

Chief Latham said this is a not to exceed amount for the Fire Department to purchase from a list of products.

Walt Shneer, Park Way, on Resolution R.850-122015, asked if this is part of the Ford Plant and will they start to build.

Mr. Northgrave said yes this is Top Golf and there is also another project coming but he is not aware of the specifics.

Lois Wolke, 10 Peake Road, on Resolution R.885-122015, she asked if this is Cablevision money.

Ms. Ruane said yes and we will use this to purchase new equipment.

Ms. Wolke said on Resolution R.889-122015 this looks like a large number for one year and she felt this should be tabled until we have more information.

Ms. Ruane said there has been a lot of action with COAH in the courts lately.

Mr. Northgrave explained there is a very strict time frame imposed by the Court that Shirley Bishop is working on.

Bruce Diamond, Calvert Avenue, on Resolution R.885-122015, asked if the franchise fee is going to the Township and if we audit them to make sure we receive it.

Esther Nemitz, 162B Fay Street, on Resolution R.849-122015, said we have known for some time that the Board of Education wasn't going to take the property. She felt this may be a good location for the Jewish Renaissance foundation to provide their services and she asked if this has been considered.

Council President Diehl said it is duly noted.

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

The following Resolutions R. through R.834-122015 through R. 887-122015 and R.889-122015 were adopted under the Consent Agenda on a motion made by Councilmember Gomez and seconded by Councilmember Shah.

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

NAYS - None

Councilmember Mascola was absent

RESOLUTION R.834-122015

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING DECEMBER 15, 2015

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through December 15, 2015

FUND	AMOUNT
Current	\$15,493,060.26
Affordable Housing	67,840.49
Capital	0.00
Cash Performance	847.50
CDBG	173,147.11
Developers Escrow	21,996.50
Dog (Animal Control)	1,823.80
Federal Forfeited	1,869.03
Grant Funds	506.37
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	438,133.69
Sanitation Fund	892,690.61
Sewer Utility	100,206.70
Tax Sale Redemption	120,268.42
Tree Fund	0.00
Tree Planting	0.00
Trust	114,238.52
TOTAL	\$17,426,629.00

/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.835-122015

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 **\$98,277.95**.

RESOLUTION R.836-122015

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:	PATEL, RONAK & BIRVA
Property Location:	5 BIRCH RD
Block/Lot/Qualifier	267.A / 7
Sewer Account:	6850-0
Amount to be Refunded:	179.49
Property Owner:	YEN, MING LI

Property Location:	17 DEY PL
Block/Lot/Qualifier	161.J / 35
Sewer Account:	4749-0
Amount to be Refunded:	\$46.09

Property Owner:	517 OLD POST RD LLC C/O PROGRESSIVE COMPANIES
Property Location:	519 OLD POST ROAD
Service Location:	DUNKIN DONUTS – 517
Block/Lot/Qualifier	265.AA / 114
Sewer Account:	6652-0
Amount to be Refunded:	\$ 1463.18
GRAND TOTAL:	\$ 1688.76

3. This Resolution shall take effect immediately.

RESOLUTION R.837-122015

WHEREAS, during 2007-2015, the Township of Edison has participated in County (MC SEGIF), State (NJBPU CEP DIP; PSE&G DIP) and Federal (USDOE EECBG) grant programs that have supported a number of municipal, energy-saving, green/sustainable projects and activities; and

WHEREAS, the New Jersey Board of Public Utilities (NJBPU), Office of Clean Energy (OCE) administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and,

WHEREAS, the Governing Body of the Township of Edison has decided to apply to participate in the Local Government Energy Audit Program (LGEAP); and,

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Township of Edison, are served by a New Jersey regulated public utility, and that the Township of Edison has not already reserved \$100,000 in the Program this year as of this application; and,

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and,

WHEREAS, upon acceptance into the Program, the Township of Edison will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors and submit the NJBPU OCE LGEAP Firm Selection Form; and,

WHEREAS, the Township of Edison understands that energy audit work cannot proceed until a NJBPU OCE LGEAP Application Approval Notice is received from the Program; and,

WHEREAS, the Township of Edison has passed a resolution joining the following state or national organization(s) supporting energy-efficiency, greenhouse gas reduction, sustainable/green design or high-performance buildings: Sustainable Jersey; and,

WHEREAS, no matching funds are required in order for the Township of Edison, to apply for grant funding of an amount not to exceed \$100,000 from NJBPU OCE LGEAP.

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 NJBPU OCE LGEAP application, at a regularly-scheduled, combined Work Session/Public Meeting on the evening of Monday, December 21, 2015.

CERTIFICATION

I, Cheryl Russomanno, RMC, Municipal Clerk of the Township of Edison in the County of Middlesex, and the State of New Jersey, do hereby Certify that the foregoing Municipal Resolution is a true copy of the Original Municipal Resolution duly passed and adopted by a majority of the full membership of the Municipal Council of the Township of Edison, at its regularly-scheduled, combined Work Session/Public Meeting on December 21, 2015.

RESOLUTION R.838-122015

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

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

WHEREAS, principal and interest will be due on various dates from January 1, 2016 to December 31 2016, inclusive, on sundry bonds & Notes issued and outstanding,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that the following appropriations be made to cover the period from January 1, 2016 to December 31,2016 inclusive:

DEBT SERVICE-CURRENT FUND

Bond Principal	4,717,861.55
Bond Interest	1,879,374.58
Bond Anticipation Note Interest	343,166.07
Special Emergency Note Interest	5,436.00
Green Trust Loan	254,225.58
NJ Environmental Infrastructure Trust	216,946.63
Total	<u>7,417,010.41</u>

DEBT SERVICE-SEWER UTILITY FUND

Bond Principal	248,597.12
Bond Interest	199,843.74
Bond Anticipation Note Interest	76,000.00
Total	<u>524,440.86</u>

DEBT SERVICE-WATER UTILITY FUND

Bond Principal	56,941.79
Bond Interest	32,874.79
Total	<u>89,816.58</u>

DEBT SERVICE-MUNICIPAL OPEN SPACE TRUST FUND

Bond Principal	406,599.54
Bond Interest	120,723.78
Total	<u>527,323.32</u>

RESOLUTION R.839-122015

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by HOTEL ROUTE 27, LLC for the tax year 2014

WHEREAS, HOTEL ROUTE 27, LLC (“Taxpayer”), the owner of property located at 2055 Lincoln Highway, in the Township of Edison, County of Middlesex, and known as Block 123, Lot 11.F on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the year 2014 with the Tax Court of New Jersey under Docket Number 000666-14; and

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

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

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

WHEREAS, the property was originally assessed as follows:

For the Tax Year(s)	
As to Block 123 Lot 11.F	
	<u>2014</u>
Land	\$1,995,000.00
Improvements	\$2,318,800.00
Total	\$4,313,800.00

WHEREAS, the proposed settlement provides for an assessment of the 2013, 2014, and 2015

	<u>2014</u>
Land	\$1,995,000.00
Improvements	\$1,929,600.00
Total	\$3,924,600.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “Garippa, Lotz & Giannuario, Attorney Trust Fund” and the Taxpayer and forwarded to “Gregory Lotz, Esq. @Garippa, Lotz & Giannuario, 66 Park Street, Montclair, New Jersey 07042” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$19,171.99 for the 2014 Tax Year Appeal.

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

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

	<u>2014</u>
Land	\$1,995,000.00
Improvements	\$1,929,600.00
Total	\$3,924,600.00

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

3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the year 2014 Docket Number 000666-14 by the Taxpayer, owned the property located at 2055 Lincoln Highway, Block 123, Lot 11.F;

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

5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.840-122015

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal with Freeze Act provision**

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council’s resolution **R.750-112015**:

TAXPAYER	WONG, REN YUAN et al
PROPERTY LOCATION	5 STERLING CT
BLOCK / LOT / QUALIFIER	161.N/64
DOCKET NUMBER:	013971-2014
TAX YEAR	2014

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also 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):2015.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$1,547.57** and

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 **\$1,547.57**.

RESOLUTION R.841-122015

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	SINGH, RANJESH & AMITA
PROPERTY LOCATION	1 MADDEN CT
BLOCK / LOT / QUALIFIER	427/22.01

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
014834-2013	2013	425,000

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$915.20** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	\$915.20

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 **\$915.20**.

RESOLUTION R842-122015

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	HSIA ENTERPRISES, INC
PROPERTY LOCATION	52 LINCOLN HWY RT 27
BLOCK / LOT / QUALIFIER	643.u/21

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
013931-2014	2014	800,000

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$2,216.70** for the years as follows:

TAX YEAR	TAX AMOUNT
2014	2,216.70

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 **\$2,216.70**.

RESOLUTION R.843-122015

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO HODULIK AND MORRISON, P.A. TO REPRESENT THE TOWNSHIP AS TOWNSHIP AUDITOR FOR THE YEAR 2015 FOR 2014 AUDITING SERVICES

WHEREAS, the Township is in need of auditing services for auditing of the calendar year 2014; and

WHEREAS, the Township recommends Hodulik and Morrison, P.A., 11102 Raritan Avenue, PO BOX 1450, Highland Park, NJ 08904, for the position of Township Auditor; and

WHEREAS, compensation for the professional services shall be at a rate of \$135 per hour for Principal, \$110 per hour for Senior Accountant and \$85 per hour for Junior Accountant; and

WHEREAS; the total amount of this contract shall not exceed \$121,898.00 for the 2014 audit as well as additional auditing services; and

WHEREAS, this contract is being 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, Hodulik and Morrison, P.A., 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 Hodulik and Morrison, P.A. from making any reportable contributions through the term of this one year 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 Township is hereby authorized to execute a contract and any other necessary documents, in the amount not to exceed \$121,898.00 for, with Hodulik and Morrison, P.A., 1102 Raritan Avenue, PO Box 1450, Highland Park, NJ 08904 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq. and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$121,898.00** are available as follows:

- \$72,088.00 in Account No. 4-01-20-0135-000-028
- \$15,370.00 in Account No. 4-07-55-0501-000-028
- \$20,580.00 in Account No. 4-09-55-0800-001-224
- \$4,083.00 in Account No. C-04-14-1872-310-000
- \$1,917.00 in Account No. C-08-14-1873-001-000
- \$6,760.00 in Account No. C-04-12-1783-920-000
- \$1,100.00 in Account No. 5-01-20-0130-001-028

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.844-122015

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO JOHNSTON GP, INC. / JOHNSTON COMMUNICATIONS FOR THE MAINTENANCE OF THE AVAYA PHONE SYSTEM

WHEREAS, the Township of Edison needs to renew the maintenance, support and upgrade of the Avaya phone system for the period of January 1, 2016 – December 31, 2016; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, 322 Belleville Turnpike, North Arlington, NJ 07031 has been awarded State Contract Number 80802 under T-1316/Telecommunications Equipment and Services; and

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

WHEREAS, funds in the amount of \$27,546.18 have been certified to be available in the Public Buildings Telephone Account, Number 6-01-31-0440-000-076, subject to and contingent upon appropriation of sufficient funds in the 2016 budget; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$27,546.18 and any other necessary documents, with JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, 322 Belleville Turnpike, North Arlington, NJ 07031, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 80802 under T-1316.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$27,546.18** are available for the above in Account No. **6-01-31-0440-000-076**, subject to and contingent upon appropriation of sufficient funds in the 2016 budget.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.845-122015

WHEREAS, the Township of Edison and Teamsters Local #469 are parties to a collective negotiations agreement covering the period January 1, 2007 to December 31, 2011, which has expired; and

WHEREAS, the Township and Teamsters Local #469 have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and Teamsters Local#469 have reached an understanding on terms and conditions for a new agreement subject to ratification by the Township and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of Teamsters Local #469.

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Collective Negotiations Agreement relative to Teamsters Local #469 for the period January 1, 2012 through December 31, 2017.

RESOLUTION R.846-122015

EXPLANATION: This Resolution authorizes New York SMSA Limited Partnership d/b/a Verizon Wireless, to jointly use certain utility poles within the Township right of way.

**RESOLUTION OF THE TOWNSHIP OF EDISON
GRANTING PERMISSION TO NEW YORK SMSA LIMITED PARTNERSHIP
D/B/A VERIZON WIRELESS TO JOINTLY USE EXISTING
TELECOMMUNICATIONS FACILITIES WITHIN
THE TOWNSHIP OF EDISON'S RIGHT-OF-WAY**

WHEREAS, New York SMSA Limited Partnership d/b/a/ Verizon Wireless ("Verizon Wireless") is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may jointly use such poles erected within the public right-of-way in in the Township of Edison (the "Township"); and

WHEREAS, New Jersey law permits such joint use provided that there is the consent of the relevant municipality; and

WHEREAS, Verizon Wireless seeks the consent of the Township to jointly use the existing facilities that are lawfully erected in the public right-of-way, as set forth in Attachment A, for small network nodes; and

WHEREAS, Verizon Wireless has advised that deploying small network nodes technology, which involves the use of antennas, two to three feet long on the existing poles in the public right-of-way, will enable it to increase network data capacity in the Township.

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

The Council hereby grants permission, and consents to Verizon Wireless and its successors and assigns, to jointly use the poles erected by parties that have the lawful right to maintain such poles within the public right-of-way in the Township of Edison, subject to Verizon entering into an agreement with the Township, based on the following terms and conditions:

- A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

- B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Township of Edison.
- C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of Edison, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of Edison.
- D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one of more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of Edison as an additional insured.
- E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- F. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is jointly using.
- G. Verizon Wireless shall compensate the Township in accordance with N.J.S.A. 54:30A-124, for its reasonable costs incurred for its professional, legal and engineering work and review rendered by the Township in connection with Verizon Wireless' request.

RESOLUTION R.847-122015

RESOLUTION AUTHORIZING THE ISSUANCE OF \$714,000 SPECIAL EMERGENCY NOTES FOR CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES IN CONNECTION WITH THE LAYOFF OR RETIREMENT OF TOWNSHIP EMPLOYEES, IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. An ordinance authorizing a special emergency appropriation of \$714,000 for contractually required severance liabilities incurred in connection with the layoff or retirement of various Township employees has been finally adopted by the Township of Edison, in the County of Middlesex, New Jersey (the "Township"), and a copy thereof has been filed with the Director of the Division of Local Government Services.

Section 2. (a) **In order to finance the special emergency appropriation described in Section 1 of this resolution, the Township is hereby authorized to borrow the sum of \$714,000 and to issue its special emergency notes therefor in accordance with the Local Budget Law of the State of New Jersey (N.J.S.A. 40A:4-55).**

(b) The special emergency notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of special emergency notes authorized herein, as determined by the chief financial officer of the Township pursuant to this resolution.

(c) The Township may finance the special emergency appropriation from surplus funds available or may borrow money in a manner prescribed herein. Where an appropriation is financed from surplus funds available, at least one-fifth of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

Section 3. The following matters in connection with the special emergency notes are hereby determined:

(a) All special emergency notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the chief financial officer within the limitations of the Local Budget Law, provided however, that at least one-fifth of all such special emergency notes and the renewals thereof shall mature and be paid in each year so that all special emergency notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution;

(b) All special emergency notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer;

(c) The special emergency notes shall be in the form determined by the chief financial officer and the chief financial officer's signature upon the special emergency notes shall be conclusive as to such determination.

Section 4. The chief financial officer is hereby authorized and directed to determine all matters in connection with the special emergency notes not determined by this or a subsequent resolution and the chief financial officer's signature upon the special emergency notes shall be conclusive as to such determination.

Section 5. The chief financial officer is hereby authorized to sell the special emergency notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 6. Any special emergency notes issued pursuant to this resolution shall be general obligations of the Township. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the special emergency notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 7. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of special emergency notes authorized by this resolution is not exempt from the Rule, for so long as an issue of special emergency notes of the Township remains outstanding (other than an issue of special emergency notes which has been wholly defeased), the Township shall provide, in a timely manner not in excess of ten business days after the occurrence of the event, to the Municipal Securities Rulemaking Board, notice of any of the following events with respect to the special emergency notes (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;

- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(b) The covenants and undertakings contained in this Section 7 are made for the benefit of the holders or beneficial owners of the special emergency notes issued under this resolution.

(c) The chief financial officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of special emergency notes prior to their offering. Such chief financial officer is hereby authorized to enter into written contracts or undertaking to implement this resolution and is further authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advice of Bond Counsel.

(d) In the event that the Township fails to comply with this resolution or the written contract or undertaking, the Township shall not be liable for monetary damages, remedy of the holders or beneficial owners of the notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

Section 8. The chief financial officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the special emergency notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the special emergency notes sold, the price obtained and the name of the purchaser.

Section 9. A copy of this resolution as adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 10. This resolution shall take effect immediately.

RESOLUTION R.848-122015

Explanation: This Resolution authorizes the Township Council, to accept on behalf of the Township of Edison, the donation of roadway improvements to Fieldcrest Avenue from Federal Business Centers, Inc. and Garden State Buildings LP.

WHEREAS, Federal Business Centers, Inc. ("FBC"), with an address of 300 Raritan Center Parkway, Edison, New Jersey 08837, and Garden State Buildings LP ("GSB"), with an address of 110 Fieldcrest Avenue, Edison, New Jersey 08837, have together donated certain roadway improvements to Fieldcrest Avenue to the Township of Edison, being:

The road and traffic control improvements to 196,000 square feet of roadway known as Fieldcrest Avenue. The work included: tree trimming for overhang clearance; the repair and rebuild of a catch basin; filling a sinkhole, repairing pipe, backfilling and paving; replacing a manhole cover; milling 2.5 inches of existing asphalt top coat and trucking material off-site; sweeping and application of a tack coat; supply of 2,732 tons of hot asphalt; trucking of hot asphalt; installation of 1.5 inches of top coat asphalt over an area of 196,000 square feet; striping of lines on road; electrical traffic control including disconnect and removal of existing loop detector leads and installing 2 camera video detection systems and technical setting of same; payment for traffic control by local

police. The work was commenced on October 8, 2014 and completed by November 18, 2014 at a value of \$400,000.00.

WHEREAS, the Municipal Council of the Township desires to accept the aforesaid improvements.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township of Edison graciously accepts the donation of the aforesaid improvements to Fieldcrest Avenue from FBC and GSB.
3. The Mayor is authorized to execute the two (2) attached Noncash Charitable Contribution Forms 8283 (one for FBC and one for GSB) acknowledging the donation of the aforesaid roadway improvements in the total amount of \$400,000.00, and, upon execution, the Township Clerk is directed to return said forms to Federal Business Centers, Inc., Attn: Joseph A. McGuire, Controller, at 300 Raritan Center Parkway, Edison, New Jersey, 08837.
4. This resolution shall take effect immediately.

RESOLUTION R.849-122015

Explanation: This Resolution amends Resolution R.147-032011, Amendment to the Redevelopment Plan and Homeless Assistance at Camp Kilmer, specifically, Building 1066.

A RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO SUBMIT AN AMENDMENT TO THE REDEVELOPMENT PLAN AND HOMELESS ASSISTANCE SUBMISSION REGARDING A CERTAIN PROPERTY AT SGT.J.W. KILMER/AMSA 21 USARC EDISON, NEW JERSEY IN CONJUNCTION WITH THE BASE REALIGNMENT AND CLOSURE

WHEREAS, effective on November 9, 2005, the Base Closure and Realignment Commission decision to close Camp Kilmer was finalized; and

WHEREAS, on May 9, 2006, the Township of Edison was recognized by the Office of Economic Adjustment of the Department of Defense (DoD) as the Local Redevelopment Authority (LRA) for Camp Kilmer; and

WHEREAS, the LRA, in its capacity as the LRA for Camp Kilmer and under the redevelopment process, approved and adopted a Redevelopment Plan and Homeless Assistance Submission for Camp Kilmer dated January 13, 2008 (Redevelopment Plan); and

WHEREAS, on April 13, 2011, the LRA amended the Redevelopment Plan to consist of a proposed school on the property known as Building 1066; and

WHEREAS, the Department of Education, the DoD, and the Township of Edison was notified that the Edison Board of Education ("BOE") withdrew its application for the property known as Building 1066 (the "Property"); and

WHEREAS, since the Property will no longer be used by the BOE, the site presents an opportunity for use for affordable housing for the Township; and

WHEREAS, to support and further this use, the LRA is amending its Redevelopment Plan to include Affordable and Homeless Housing for Veterans and eligible applicants at the site.

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

1. The attached Amendment to Redevelopment Plan and Homeless Assistance Submission for Sgt. J.W. Kilmer/AMSA 21 USARC Edison, New Jersey Base Realignment and Closure is hereby approved by the Township Council and the Mayor, Township Clerk, Township Attorney, and other necessary Township Officials and Employees are hereby authorized to execute and deliver the Amendment to Redevelopment Plan and all other documents and undertake all actions reasonable necessary to effectuate and implement this Resolution and the terms of the Amendment to the Redevelopment Plan.
2. The Township clerk is also directed to forward a certified copy of this Resolution, once adopted, to the Township Attorney and the Municipal Housing Liaison.

RESOLUTION R.850-122015

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Edison Land Investment, LLC with respect to the property identified as Block 198.L, Lot 37.01 (889-1011 U.S. Route 1) as shown on the Edison Township tax map.

WHEREAS, the property identified as Block 198.L, proposed Lot 37.04 soon to be shown on the Edison Township tax map ("TopGolf Site" commonly referred to as 939 U.S. Route 1) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "Board") made by TopGolf USA Edison LLC (herein "TopGolf") for final site plan approval to construct a 64,000 square foot golf and entertainment center/restaurant, with supporting site improvements (the "Project"); and

WHEREAS, TopGolf leases the TopGolf Site from Edison Land Investment, LLC ("Ground Lessor") which entity owns the adjoining Block 198.L, Lot 37.01 ("Property" commonly referred to as 889-1011 U.S. Route 1); and

WHEREAS, the Board granted final site plan approval for the Project by resolution memorialized on July 13, 2015 ("Resolution"); and

WHEREAS, the Resolution and the Code of General Ordinances of the Township of Edison ("Township") require TopGolf to enter into a developer's agreement with the Township in connection with the Project and the installation of site improvements, which form of agreement was entered by the aforesaid parties in December 2015; and

WHEREAS, Ground Lessor will be installing and constructing certain improvements on the Property in furtherance of the Project, as contemplated by the Resolution, including roadway, curbing and other site improvements, and the Township has required that Ground Lessor also enter a developer's agreement to ensure the construction of said improvements; and

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

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

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

RESOLUTION R.851-122015

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Pagoda Homes Tree Permit 13-030 Account # 7762575830.

WHEREAS, on September 5, 2013, Pagoda Homes posted Tree Maintenance Bond fees in the amount of \$3,075.00 on deposit with the Township of Edison in account #7762575830 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #13-030 for property located at 19 Harding Avenue

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$3,075.00, be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$3,075.00 Herein above mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$3,075.00 on deposit in Account #7762575830 to Pagoda Homes 33 Wood Avenue So, Suite 600, Iselin, NJ 08830, Account #7762575830.

RESOLUTION R.852-122015

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Omni Services LLC. for a project located at 1647-1665 Oak Tree Road , N.J. 08820 in Block 643.DD, Lot 36 and Application #P9-2013 ; and

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

WHEREAS; on November 6, 2013 Omni Services LLC. posted fees on deposit with the Township of Edison in the account # 7760296254 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 \$ 5,030.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Omni Services; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$5,030.00 plus accrued interest, if applicable be refunded to Omni Services LLC, 3 Stratford Circle, Edison, N.J. 08820

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 5,030.00 plus accrued interest, if applicable, in account #7760296254 to the applicant.

RESOLUTION R.853-122015

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to Edison Rt. 27, Associates, Pet Smart/Triple A, Application #P02-04/05 Account #7762495252 and Performance Surety Bond #S296263

WHEREAS, Edison Rt. 27 Associates posted a Performance Surety Bond #296263 posted on October 3, 2014 of Main Street America Group, in the amount of \$158,464.08, posted by Edison Rt. 27 Assoc, having offices at 820 Morris Turnpike Suite 301, Short Hills, NJ 07078 to guarantee the installation of improvements for the project known as Pet Smart –Triple A located in Block #383 and Lot #13 and designated Application #P02-04/05; and

WHEREAS, a Cash Performance Bond was posted on August 27, 2013 by Check #6773900459, in the amount of \$35,214.24, on deposit in account #7762495252; and

WHEREAS, A cash Bond reduction of 50% was posted on August 27, 2014, resolution #395-08214 in the amount of \$17,607.12; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$17,607.12** plus accrued interest, if applicable, on deposit in account #7762495252 to the applicant and the Surety Bond #S296263 in the amount of **\$158,464.08** of the America Group Insurance be refunded to Edison Route 27, Associates, 820 Morris Turnpike Suite 301, Short Hills, NJ 07078

RESOLUTION R.854-122015

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING OF AFFORDABLE HOUSING PLANNING AND CONSULTING SERVICES WITH SHIRLEY BISHOP, P.P., LLC IN AN AMOUNT NOT TO EXCEED \$30,000.00

WHEREAS, SHIRLEY BISHOP, P.P., LLC, 100 Overlook Dr., Floor 2, Princeton, NJ 08540 was awarded RFP-14-06 Affordable Housing Planning and Consulting Services, through Resolution R.825-122014 dated December 22, 2014 for the period of February 4, 2015 to February 4, 2016, in the amount of \$25,000.00 and that amount has been depleted; and

WHEREAS, the Purchasing Agent is in the process of rebidding this contract but needs additional funds until the paperwork is complete and the new contract will be in effect; and

WHEREAS, the Township recommends we add additional funds in the amount not to exceed \$30,000.00 to replenish and complete the one year term of the contract with SHIRLEY BISHOP, P.P., LLC, with all prices as well as all terms and conditions to remain the same until such as time the contract expires or we award a new contract; 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.

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 \$30,000.00, and any other necessary documents, with SHIRLEY BISHOP, P.P., LLC, described herein.

RESOLUTION R.855-122015

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR THE PURCHASE OF THREE (3) RASTER SOFTWARE LICENSES FOR THE DEPARTMENT OF ENGINEERING

WHEREAS, there is a need for three (3) Raster Software Licenses (add-on to AutoCAD software) for the Department of Engineering; and

WHEREAS, CDW GOVERNMENT, LLC, 230 N Milwaukee Ave, Vernon Hills, IL 60061 has been awarded State Contract Number 89849 under M-0003 Software License & Related Services; and

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

WHEREAS, funds in the amount of \$8,763.18 have been certified to be available in the Engineering Services other Professional Services, Account Number 5-01-20-0165-000-028, and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$8,763.18, and any other necessary documents, with CDW GOVERNMENT, LLC, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 89849 under M-0003.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$8,763.18** are available for the above in Account No. **5-01-20-0165-000-028**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.856-122015

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CHAS. S. WINNER INC. D/B/A WINNER FORD FOR THE PURCHASE OF ONE (1) 2016 FORD F-450 CREW CAB CHASSIS WITH DUMP BODY AND SNOW PLOW FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need to purchase one (1) 2016 Ford F-450 W4H 4X4 SD crew cab chassis with dump body and snow plow for the Department of Public Works, Division of Sanitation; and

WHEREAS, CHAS. S. WINNER INC. D/B/A WINNER FORD, 250 Berlin Road, Cherry Hill, NJ 08034 has been awarded State Contract Number 88215 under T-2102 Vehicles, Trucks, Class 4, Utility/Dump, with Snow Plow Option; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with CHAS. S. WINNER INC. D/B/A WINNER FORD for the purchase of one (1) 2016 Ford F-450 W4H 4X4 SD crew cab 176" WB DRW 60" CA XL chassis with dump body and snow plow at a total price of \$54,611.00; and

WHEREAS, funds in the amount of \$54,611.00 have been certified to be available in the Sanitation Capital Outlay Account, Number 5-09-55-0880-000-600; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$54,611.00 and any other necessary documents, with CHAS. S. WINNER INC. D/B/A WINNER FORD, 250 Berlin Road, Cherry Hill, NJ 08034, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract Number 88215 under T-2102.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$54,611.00** are available for the above contract in Account No. **5-09-55-0880-000-600**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.857-122015

RESOLUTION AWARDDING CONTRACT TO CAMBRIA AUTOMOTIVE COMPANIES INC. FOR THE PURCHASE OF ONE (1) AUTOMATED SIDE LOADER REFUSE COLLECTION VEHICLE FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, bids were received by the Township of Edison on November 25, 2015 for Public Bid No. 15-06-18 Automated Side Loader Refuse Collection Vehicle for the Department of Public Works; and

WHEREAS, CAMBRIA AUTOMOTIVE COMPANIES INC., 116 Talmadge Rd., Edison, NJ 08817 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$272,100.00; and

WHEREAS, funds in the amount of \$272,100.00 have been certified to be available in the Sanitation Capital Outlay Account, Number 5-09-55-0880-000-600; and

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

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

1. All bids have been reviewed, and the bid submitted by CAMBRIA AUTOMOTIVE COMPANIES INC., 116 Talmadge Rd., Edison, NJ 08817 for Automated Side Loader Refuse Collection Vehicle for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$289,930.00, and any other necessary documents, with CAMBRIA AUTOMOTIVE COMPANIES INC., as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$272,100.00** are available in account **5-09-55-0880-000-600**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.858-122015

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ONE (1) 2015 OR NEWER TRI-AXLE ROLL OFF TRUCK FROM CAMPBELL FREIGHTLINER THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS

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

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

WHEREAS, CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, South Brunswick, NJ 08831 has been awarded Bid No. 15-064 Various Trucks through Resolution 15-1987-R, State Coop #71-MCCPS; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with CAMPBELL FREIGHTLINER for the purchase of one (1) 2016 or newer Tri-Axle Roll off Truck with plow, hitch, spreader body and two thirty (30) yard containers; and

WHEREAS, the total amount of this contract shall not to exceed \$296,733.00; and

WHEREAS, funds in the amount of \$296,733.00 have been certified to be available in the Sanitation Capital Outlay Account, number 5-09-55-0880-000-600; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$296,733.00 and any other necessary documents, with CAMPBELL FREIGHTLINER, 1015 Cranbury South River Road, South Brunswick, NJ 08831 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. 15-064 Various Trucks through Resolution 15-1987-R, Middlesex County Cooperative Pricing Agreement, State Coop #71-MCCPS.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$296,733.00** are available in account number **5-09-55-0880-000-600**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.859-122015

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 the Sanitation Capital Outlay Account Number 5-09-55-0880-000-600; and

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison that 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. **5-09-55-0880-000-600**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.860-122015

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE SNOW PLOWS AND HITCHES FOR R-8 AND R-31 FROM CLIFFSIDE BODY CORP. THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING AGREEMENT-CC-0128-15

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

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

WHEREAS, CLIFFSIDE BODY CORP., 130 Broad Ave., Fairview, NJ 07022 has been awarded Snow Plow Equipment; and

WHEREAS, the total amount of this contract for two snow plows and hitches, not to exceed \$27,128.00 (\$13,564.00) each have been certified to be available in the Reserve for Self Insurance 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, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$27,128.00, and any other necessary documents, with CDW GOVERNMENT, LLC, the approved Somerset County Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Somerset County Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$27,128.00** are available for the above in Account No. **T-13-00-0013-000-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R. 861-122015

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO DEJANA TRUCK EQUIPMENT FOR SNOW PLOW AND SPREADER PARTS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on November 10, 2015 for Public Bid No. 15-10-27-Snow Plow and Spreader Parts and Accessories; and

WHEREAS, DEJANA TRUCK EQUIPMENT, 2502 Route 130 N, Cinnaminson, NJ 08077, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

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

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

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

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

1. All bids have been reviewed, and the bid by DEJANA TRUCK EQUIPMENT, 2502 Route 130 N, Cinnaminson, NJ 08077 for Snow Plow and Spreader Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00 and any other necessary documents, with DEJANA TRUCK EQUIPMENT.

RESOLUTION R.862-122015

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO METUCHEN MOWER, INC.,
FOR SNOW PLOW AND SPREADER PARTS AND ACCESSORIES**

WHEREAS, bids were received by the Township of Edison on November 10, 2015 for Public Bid No. 15-10-27-Snow Plow and Spreader Parts and Accessories; and

WHEREAS, METUCHEN MOWER, INC., 865 Middlesex Ave., Metuchen, NJ 08840, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$15,000.00, 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 by METUCHEN MOWER, INC., 865 Middlesex Ave., Metuchen, NJ 08840 for Snow Plow and Spreader Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$15,000.00 and any other necessary documents, with METUCHEN MOWER, INC.

RESOLUTION R.863-122015

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO MRI SERVICES FOR SNOW
PLOW AND SPREADER PARTS AND ACCESSORIES**

WHEREAS, bids were received by the Township of Edison on November 10, 2015 for Public Bid No. 15-10-27-Snow Plow and Spreader Parts and Accessories; and

WHEREAS, MRI SERVICES, 1220 East Elizabeth Ave., Linden Ave, NJ 07036, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

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

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

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

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

1. All bids have been reviewed, and the bid by MRI SERVICES, 1220 East Elizabeth Ave., Linden Ave, NJ 07036 for Snow Plow and Spreader Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00 and any other necessary documents, with MRI SERVICES.

RESOLUTION R.864-122015

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CHEMUNG SUPPLY CORP.
FOR SNOW PLOW AND SPREADER PARTS AND ACCESSORIES**

WHEREAS, bids were received by the Township of Edison on November 10, 2015 for Public Bid No. 15-10-27-Snow Plow and Spreader Parts and Accessories; and

WHEREAS, CHEMUNG SUPPLY CORP., P.O. BOX 527, Elmira, NY 14902, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; 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 by CHEMUNG SUPPLY CORP., P.O. BOX 527, Elmira, NY 14902 for Snow Plow and Spreader Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 and any other necessary documents, with CHEMUNG SUPPLY CORP.

RESOLUTION R.865-122015

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO NORCIA CORPORATION FOR
SNOW PLOW AND SPREADER PARTS AND ACCESSORIES**

WHEREAS, bids were received by the Township of Edison on November 10, 2015 for Public Bid No. 15-10-27-Snow Plow and Spreader Parts and Accessories; and

WHEREAS, NORCIA CORPORATION, 451 Black Horse Lane, North Brunswick, NJ 08902, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; 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 by NORCIA CORPORATION, 451 Black Horse Lane, North Brunswick, NJ 08902 for Snow Plow and Spreader Parts and Accessories is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00 and any other necessary documents, with NORCIA CORPORATION.

RESOLUTION R.866-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
KATHRYN ADAMS FOR THE RECREATION TRIP TO
NEW YORK CITY**

WHEREAS Kathryn Adams made a payment for three people to attend the Edison Recreation sponsored trip to New York City, and

WHEREAS the trip was cancelled.

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 \$60.00 to Kathryn Adams, 91 Winthrop Rd., Edison, NJ 08817, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$60.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.867-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
KATHLEEN MAHON FOR THE RECREATION TRIP TO
NEW YORK CITY**

WHEREAS Kathleen Mahon made a payment to attend the Edison Recreation sponsored trip to New York City, and

WHEREAS the trip was cancelled.

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 \$20.00 to Kathleen Mahon, 121 Clive St., Edison, NJ 08820, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$20.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.868-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
GLORIA COSARE FOR THE RECREATION TRIP TO
NEW YORK CITY**

WHEREAS Gloria Cosare made a payment for two people to attend the Edison Recreation sponsored trip to New York City, and

WHEREAS the trip was cancelled.

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 \$40.00 to Gloria Cosare, 197 Evergreen Rd., Apt. 4B, Edison, NJ 08837, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$40.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.869-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SARITA MUKHERJEE FOR THE RECREATION TRIP TO
NEW YORK CITY**

WHEREAS Sarita Mukherjee made a payment for three people to attend the Edison Recreation sponsored trip to New York City, and

WHEREAS the trip was cancelled.

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 \$60.00 to Sarita Mukherjee, 56 Ridge Rd., Edison, NJ 08817, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$60.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.870-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
TERRY KASPERSKI FOR THE RECREATION TRIP TO
NEW YORK CITY**

WHEREAS Terry Kasperski made a payment for three people to attend the Edison Recreation sponsored trip to New York City, and

WHEREAS the trip was cancelled.

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 \$60.00 to Terry Kasperski, 21 Fairfax Rd, Edison, NJ 08817, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$60.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.871-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SEEMA DUBEY FOR THE ABC PROGRAM**

WHEREAS Seema Dubey made payment in the amount of \$255.00 for the month of December for her children, Shresta & Siddhant Rai’s participation in the ABC Program at Menlo Park Elementary School; and

WHEREAS the children were removed from the program prior to attending in December.

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 \$255.00 to Seema Dubey, 120 Christie St., Edison, NJ 08820, which amount represents the monthly fees.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$255.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.872-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SAKERRA NEAL FOR THE ABC PROGRAM**

WHEREAS Sakerra Neal, in partnership with Community Child Care Solutions, made co-payments in the amount of \$90.39 for her children Justin and Jada McAdam’s participation in the ABC Programs at James Madison Intermediate and Primary Schools; and

WHEREAS Community Child Care Solutions submitted monthly payments in the full amount due for Justin and Jada McAdam’s participation in the ABC Program; thereby causing an overpayment by Sakerra Neal.

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 \$90.39 to Sakerra Neal, 1045 Grove Ave., Apt. 8H, Edison, NJ 08820, which amount represents the overpayment for the ABC programs.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$90.39 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.873-122015

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
JIGISHA PATEL FOR THE FALL KARATE PROGRAM**

WHEREAS Jigisha Patel made payment in the amount of \$60.00 for her children Nirali and Krishna’s participation in the Fall Karate Program at the Minnie B. Veal Community Center; and

WHEREAS the program was full.

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 \$60.00 to Jigisha Patel, 8 Palm Ct., Edison, NJ 08820, which amount represents the registration for the Summer Playground Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$60.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.874-122015

RESOLUTION AUTHORIZING A REIMBURSEMENT TO LIQIONG WU FOR THE TEEN CENTER PROGRAM

WHEREAS Liqiong Wu made a duplicate payment in the amount of \$10.00 for his child William Lu's participation in the Teen Center Program.

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 \$10.00 Liqiong Wu, 5 Huntington Rd., Edison, NJ 08820, which amount represents the membership fee.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$10.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.875-122015

RESOLUTION AUTHORIZING A REIMBURSEMENT TO BRIAN KULAS FOR THE RECREATION DEPARTMENT CO-ED VOLLEYBALL LEAGUE

WHEREAS Brian Kulas made a payment for the entrance fee for the Edison Recreation Adult Co-Ed Volleyball League and,

WHEREAS the Co-Ed Volleyball League was cancelled.

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 \$150.00 to Brian Kulas, 10 Landing Lane, Apt. 8G, New Brunswick, NJ 08901, which amount represents the cost of the league.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$150.00 are available in Account #5-01-55-0291-000-000.

RESOLUTION R.876-1220165

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FRED BEANS FORD OF WEST CHESTER FOR EXTENDED WARRANTIES FOR VARIOUS FORD POLICE VEHICLES

WHEREAS, bids were received by the Township of Edison on December 2, 2015 for Public Bid No. 15-07-09RR, Extended Warranties for Various Ford Police Vehicles; and

WHEREAS, FRED BEANS OF WEST CHESTER, 1155 West Chester Pike, West Chester, PA 19382 submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract shall not exceed \$12,715.00; and

WHEREAS, funds in the amount of \$12,715.00 have been certified to be available in the Police Department Purchase of Vehicles Account, Number 5-01-25-0240-000-051 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 FRED BEANS OF WEST CHESTER, 1155 West Chester Pike, West Chester, PA 19382 for Extended Warranties for Various Ford Police Vehicles, 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 \$12,715.00, and any other necessary documents, with FRED BEANS OF WEST CHESTER as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$12,715.00** are available for the above contract in Account No. **5-01-25-0240-000-051**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.877-122015

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HERTRICH FLEET SERVICES FOR THE PURCHASE OF A 2016 FORD FUSION SEDAN FOR THE DIVISION OF POLICE

WHEREAS, there is a need to purchase of a 2016 Ford Fusion Sedan for the Division of Police; and

WHEREAS, HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963, has been awarded State Contract Number 86922 under T-0099/Vehicles, Automobiles, Sedans/Crossover; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with HERTRICH FLEET for the purchase a 2016 Ford Fusion Sedan at a price of \$17,400.00; and

WHEREAS, funds in the amount of \$17,400.00 have been certified to be available in the Police Department -Purchase of Vehicles Account, Number 5-01-25-0240-000-051; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$17,400.00, and any other necessary documents, with HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 86922 under T-0099.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$17,400.00** are available for the above in Account No. **5-01-25-0240-000-051**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.878-122015

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE POLICE VEHICLES FROM BEYER FORD THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM

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

WHEREAS, the Township of Edison is a member of the Cranford Police Cooperative Pricing System #47-CPCPS; and

WHEREAS, BEYER FORD, 170 Ridgedale Avenue, Morristown, NJ 07962 has been awarded Contract 15-01- Police and Administrative Vehicles, through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with BEYER FORD for two (2) 2016 or newer Ford Utility Police Interceptors (Black & White) at a total price of \$49,830.00 (\$24,915.00 each) and one (1) 2016 or newer Ford Utility Police Interceptor (Solid Color) at a price of \$24,889.00 under the Cranford Police Cooperative Pricing System; and

WHEREAS, funds for this purchase, in the amount of \$12,487.00 are available in the Police Department Purchase of Vehicles Account, Number 5-01-25-0240-000-051, funds in the amount of \$12,402.00 are available in the Byrne Grant 2015 Account, Number G-02-15-0240-801-000 and funds in the amount of \$49,830.00 are available in the Highway Safety Fund Grant Account, Number G-02-15-0240-791-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$74,719.00 with BEYER FORD, 170 Ridgedale Avenue, Morristown, NJ 07962 the approved Cranford Police Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Cranford Police Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$74,719.00** are available in the following accounts:

- **G-02-15-0240-791-000-\$49,830.00**
- **G-02-15-0240-801-000-\$12,402.00**
- **5-01-25-0240-000-051-\$12,487.00**

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.879-122015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO FIREFIGHTER ONE, LLC FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS-SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on December 3, 2015 for Public Bid No. 15-05-18, Fire Department Equipment and Tools-Supply and Repair; and

WHEREAS, FIREFIGHTER ONE, LLC, 34 Wilson Dr., Sparta, NJ 07871, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$200,000.00, 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 FIREFIGHTER ONE, LLC, 34 Wilson Dr., Sparta, NJ 07871 for Fire Department Equipment and Tools-Supply and Repair for the Division of Fire, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$200,000.00 and any other necessary documents, with FIREFIGHTER ONE, LLC as described herein.

RESOLUTION R.880-122015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO WITMER PUBLIC SAFETY GROUP, INC. FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS-SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on December 3, 2015 for Public Bid No. 15-05-18, Fire Department Equipment and Tools-Supply and Repair; and

WHEREAS, WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet; and

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

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

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

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

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

1. All bids have been reviewed, and the bid submitted by WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320, for Fire Department Equipment and Tools-Supply and Repair for the Division of Fire, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$150,000.00 and any other necessary documents, with WITMER PUBLIC SAFETY GROUP, INC as described herein.

RESOLUTION R.881-122015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO GEN-EL SAFETY & INDUSTRIAL PRODUCTS, LLC FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS-SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on December 3, 2015 for Public Bid No. 15-05-18, Fire Department Equipment and Tools-Supply and Repair; and

WHEREAS, GEN-EL SAFETY & INDUSTRIAL PRODUCTS, LLC, 961 Route 10 East, Suite 2M, Randolph, NJ 07869, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$15,000.00, 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 GEN-EL SAFETY & INDUSTRIAL PRODUCTS, LLC, 961 Route 10 East, Suite 2M, Randolph, NJ 07869, for Fire Department Equipment and Tools-Supply and Repair for the Division of Fire, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$15,000.00 and any other necessary documents, with GEN-EL SAFETY & INDUSTRIAL PRODUCTS, LLC as described herein.

RESOLUTION R.882-122015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CONTINENTAL FIRE & SAFETY, INC. FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS-SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on December 3, 2015 for Public Bid No. 15-05-18, Fire Department Equipment and Tools-Supply and Repair; and

WHEREAS, CONTINENTAL FIRE & SAFETY, 2740 Kuser Rd., Hamilton, NJ 08691, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$200,000.00, 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 CONTINENTAL FIRE & SAFETY, 2740 Kuser Rd., Hamilton, NJ 08691, for Fire Department Equipment and Tools-Supply and Repair for the Division of Fire, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$200,000.00 and any other necessary documents, with CONTINENTAL FIRE & SAFETY as described herein.

RESOLUTION R.883-122015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CAMPBELL SUPPLY CO., LLC FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS-SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on December 3, 2015 for Public Bid No. 15-05-18, Fire Department Equipment and Tools-Supply and Repair; and

WHEREAS, CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$70,000.00, cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein 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 CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831, for Fire Department Equipment and Tools-Supply and Repair for the Division of Fire, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$70,000.00 and any other necessary documents, with CAMPBELL SUPPLY CO., LLC as described herein.

RESOLUTION R.884-122015

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO SKYLANDS AREA FIRE EQUIPMENT & TRAINING, LLC FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS-SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on December 3, 2015 for Public Bid No. 15-05-18, Fire Department Equipment and Tools-Supply and Repair; and

WHEREAS, SKYLANDS AREA FIRE EQUIPMENT & TRAINING, LLC, 23 Hamburg Turnpike, Unit A, Riverdale, NJ 07457, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet; and

WHEREAS, the total amount of this contract, not to exceed \$10,000.00, 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 SKYLANDS AREA FIRE EQUIPMENT & TRAINING, LLC, 23 Hamburg Turnpike, Unit A, Riverdale, NJ 07457, for Fire Department Equipment and Tools-Supply and Repair for the Division of Fire, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the summary spreadsheet
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00 and any other necessary documents, with SKYLANDS AREA FIRE EQUIPMENT & TRAINING, LLC as described herein.

RESOLUTION R.885-122015

**FORM OF RESOLUTION REQUESTING APPROVAL
OF ITEMS OF REVENUE AND APPROPRIATION
PER NJSA 40A:4-87**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant in the amount of \$ 40,000.00 from Cablevision and wishes to amend its CY 2015 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget for the CY 2015 in the amount of \$ 40,000.00 which is now available as revenue under:

Miscellaneous Revenues:
 Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public & Private Programs Off-Set with Appropriations:

2015 Cablevision Public & Education & Government Access Grant..... **\$ 40,000.00**

BE IT FURTHER RESOLVED that a like sum of \$40,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

2015 Cablevision Public & Education & Government Access Grant..... **\$ 40,000.00**

BE IT FURTHER RESOLVED, that a certified copy of the required certification will be filed in the office of the Director of Local Government Services for certification.

RESOLUTION R.886-122015

**RESOLUTION AUTHORIZING THE BUSINESS ADMINISTATOR TO AWARD A CONTRACT FOR
ELECTRIC AND/OR GAS SUPPLY SERVICES FOR TOWNSHIP BUILDINGS**

WHEREAS, in accordance with the provisions of the Local Unit Electronic Technology Pilot Program and Study Act, the Township of Edison adopted resolution R.756-112015 on November 9, 2015 authorizing a contract with EMEX L.L.C. to conduct an online reverse auction for the purchase of electric and/or gas supply services for Township Buildings; and

WHEREAS, the Township has executed said contract and intends to begin the process of the reverse auction; and

WHEREAS, if the Township intends to enter into a contract as a result of said auction, we must do so shortly after the close of the auction.

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the Business Administrator is hereby authorized to award a contract for the purchase of electric and/or gas supply services on behalf of the Township of Edison.

RESOLUTION R.887-122015

WHEREAS, the Township of Edison and OPEIU Local 32 (DPW Supervisors) are parties to a collective negotiations agreement covering the period January 1, 2007 to December 31, 2011, which has expired; and

WHEREAS, the Township and OPEIU Local 32 (DPW SUPERVISORS) have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and OPEIU Local 32 (DPW SUPERVISORS) have reached an understanding on terms and conditions for a new agreement subject to ratification by the Township and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of OPEIU Local 32 (DPW Supervisors).

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Collective Negotiations Agreement relative to OPEIU Local 32 (DPW Supervisors) for the period January 1, 2012 through December 31, 2017.

RESOLUTION R.889-122015

Explanation: This Resolution authorizes the Township Council, to accept on behalf of the Township of Edison, the donation of roadway improvements to Parkway Place and Clearview Road from Federal Business Centers, Inc. and Garden State Buildings LP.

WHEREAS, Federal Business Centers, Inc. ("FBC"), with an address of 300 Raritan Center Parkway, Edison, New Jersey 08837, and Garden State Buildings LP ("GSB"), with an address of 110 Fieldcrest Avenue, Edison, New Jersey 08837, have together donated certain roadway improvements to Parkway Place and Clearview Road to the Township of Edison, being:

The road and traffic control improvements to 142,740 square feet of roadway known as Parkway Place and Clearview Road. The work included:

Parkway Place – installing new piping for drainage and 2 new catch basins; regarding to correct drainage; replacing concrete curbing; milling 2.0 inches of existing asphalt top coat and hauling; sweeping and applying tack coat; supply of 470 tons of hot asphalt and trucking; installing top coat asphalt; string of lines on road; payment for traffic control by local police;

Clearview Road – milling 2.0 inches of existing asphalt top coat and hauling; sweeping and applying tack coat; supply of 1,562 tons of hot asphalt; installing 2.0 inches of top coat asphalt; striping of lines on road; payment for traffic control by local police.

The work was commenced in August of 2015 and completed by October 2015 at a value of \$330,000.00.

WHEREAS, the Municipal Council of the Township desires to accept the aforesaid improvements.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township of Edison graciously accepts the donation of the aforesaid improvements to Parkway Place and Clearview Road from FBC and GSB.
3. The Mayor is authorized to execute the two (2) attached Noncash Charitable Contribution Forms

8283 (one for FBC and one for GSB) acknowledging the donation of the aforesaid roadway improvements in the total amount of \$330,000.00, and, upon execution, the Township Clerk is directed to return said forms to Federal Business Centers, Inc., Attn: Joseph A. McGuire, Controller, at 300 Raritan Center Parkway, Edison, New Jersey, 08837.

- 4. This resolution shall take effect immediately.

The following Resolutions will be voted upon separately:

RESOLUTION R.888-122015

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	SWALES, THOMAS J III ET AL (TRUSTEES)
PROPERTY LOCATION	258 PLAINFIELD AVE
BLOCK / LOT / QUALIFIER	160.C / 12

WHEREAS, settlement for this case was approved by Council with Resolution # R.663-112014, but the final assessment and refund numbers need to be corrected as per Tax Court order received.

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
014653-2013	2013	\$129,100

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$22,227.50** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	\$22,227.50

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 **\$22,227.50**.

On a motion made by Councilmember Lombardi seconded by Councilmember Karabinchak, the above Resolution was Tabled.

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

NAYS - None
Councilmember Mascola was absent

COMMUNICATIONS

- a. Letter received from James and Olga Sgambettera regarding an Article in the New York Times on Guns at the local level.

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.

Maryann Hennessey, 20 Carmello Drive, she thanked Councilmember Lombardi for his help with the Pilgrim Pipeline and said it is not a dead issue. She wished everyone a Merry Christmas and a Happy New Year.

Walt Shneer, Park Way, said the bushes at the Toth Center were cut down not the trees. He wished everyone a Merry Christmas.

Fred Wolke, 10 Peake Road, commended the Terra Nova Garden Club for making the Wreaths Across America a success on December 12th. He said he was disappointed that no Councilmembers attended the event.

Bruce Diamond, Calvert Avenue, said the paving plants close on December 24th. He asked if signs should be posted when paving is going on.

Mr. Kataryniak said there is no definite date for the closing of the paving plants. He said signs should be posted when paving is occurring.

Irene Wall, 205 Fleet Avenue, said she agrees with Councilmember Shah that the Board of Education should be paying for their trash pick-up. She asked if the Jewish Renaissance Foundation lost their grant and she also agreed that the Kilmer site would be a good location for them. She said the residents in her neighborhood filed a petition for restricted parking.

Mr. Northgrave said imposing parking restrictions in her area was not the recommended course and he was under the impression that the Police were taking care of this. He will revisit it.

Esther Nemitz, 162B Fay Street, said she supports the comments about the Pilgrim Pipeline. She thanked Councilmember Mascola and Councilmember Prasad for their years of service. She said they worked hard and contributed much. She said on Amboy Avenue there are a lot of orange and white barrels and cones as they are ready to plant new trees. She wished everyone Happy Holidays.

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

Council President Diehl said this is his last meeting as Council President. He thanked everyone for coming out all year long.

Councilmember Karabinchak thanked Council President Diehl for being president and bringing us through the year.

Having no further business to discuss, on a motion made by Councilmember Lombardi, seconded by Councilmember Gomez the meeting was adjourned at 8:07 p.m.

Robert Diehl
Council President

Cheryl Russomanno, RMC
Municipal Clerk