

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

January 27, 2016

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, January 27, 2016. The meeting was called to order at 7:04 p.m. by Council President Lombardi, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lombardi, Patil, Sendelsky and Shah.

Also present were Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Nee, Business Administrator Ruane, Engineer Kataryniak, Police Chief Bryan, Captain Kelly, 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 12, 2015 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl seconded by Councilmember Gomez, duly carried, the Minutes of the Special Meeting of September 24, 2015 were accepted as submitted.

Abstained: Councilmembers Patil and Sendelsky.

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

January 15, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

Please be advised that I have hereby re-appointed John Soltesz, 680 Grove Avenue, Edison, New Jersey 08820, effective immediately, as a Class II Planning Board Member. His term expires on December 31, 2016.

Thanking you in advance for your attention to this matter, I remain.

Respectfully,

/s/Thomas Lankey
Mayor

cc: Mr. John Soltesz
Lillian Triola, Administrative Officer, Planning Board

January 15, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

Please be advised that I have hereby re-appointed Mr. Dennis Pipala, of 148 Edison Avenue, Edison, New Jersey 08820, effective immediately, as a Class IV Planning Board Member. His term expires on December 31, 2019.

Thanking you in advance for your attention to this matter, I remain.

Respectfully,

/s/Thomas Lankey
Mayor

Cc: Mr. Dennis Pipala
Lillian Triola, Administrative Officer, Planning Board

January 15, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

Please be advised that I have hereby re-appointed Ms. Olga Sgambettera, 46 Annette Drive, New Jersey 08820, effective immediately, as a Class IV Planning Board Member. Her term expires on December 31, 2019.

Thanking you in advance for your attention to this matter, I remain.

Respectfully,

/s/Thomas Lankey
Mayor

Cc: Ms. Olga Sgambettera
Lillian Triola, Administrative Officer, Planning Board

January 15, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

Please be advised that I have hereby re-appointed Mr. Mark Daniele, of 32 Oak Hills Road, Edison, New Jersey 08820, effective immediately, as a Class I Planning Board Member. His term expires on December 31, 2017.

Thanking you in advance for your attention to this matter, I remain.

Respectfully,

/s/Thomas Lankey
Mayor

Cc: Mr. Mark Daniele
Lillian Triola, Administrative Officer, Planning Board

January 8, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

01/27/2016

Please be advised that I have hereby appointed Tuhin Pandya of 203 Cinder Road, Edison, NJ 08820, as a Second Alternate to the Planning Board. Mr. Pandya's term will expire on December 31, 2016.

Thanking you in advance for your attention to this matter, I remain.

Respectfully,

/s/Thomas Lankey
Mayor

Cc: Tuhin Pandya
Lillian Triola, Administrative Officer, Planning Board

January 15, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

Please be advised that I have hereby appointed Mr. Sam Khan of 7 Lambert Avenue, Edison, New Jersey 08817, effective immediately, as a Class IV Planning Board Member. His term expires on December 31, 2019.

Thanking you in advance for your attention to this matter, I remain.

Respectfully,

/s/Thomas Lankey
Mayor

Cc: Mr. Sam Khan
Lillian Triola, Administrative Officer, Planning Board

January 15, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

Please be advised that I have hereby appointed Donald Corrette of 278 Grandview Avenue, as first alternate to the Planning Board. Mr. Corrette's term will expire on December 31, 2016.

Thanking you in advance for your attention to this matter.

Sincerely,

/s/Thomas Lankey
Mayor

cc: Mr. Donald Corrette
Lillian Triola, Administrative Officer, Planning Board

January 21, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Dear Members of Council:

Please be advised that I have hereby appointed Joseph Coyle of 4055 Woodbridge Avenue, Edison, New Jersey 08837 to serve on the Environmental Commission for a term of three years. Mr. Coyle's term will expire on December 31, 2018.

Thank you.

Sincerely,

/s/Thomas Lankey
Mayor

Cc: Joe Coyle

January 20, 2016

Honorable Members of Council
c/o Cheryl Russomanno, Township Clerk
100 Municipal Boulevard
Edison, New Jersey 08817

Honorable Members of Council:

This is to inform you that I nominate Ms. Joyce Ship of 41 South Main Street, Edison, New Jersey 08837 for your advice and consent to re-appointment of the Edison Library Board of Trustees pursuant to N.J.S.A. 40:54-9 and Township Code Section 2-97-1.

I respectfully request your support for this nomination. Her term will expire on December 31, 2020.

Thank you.

/s/Thomas Lankey
Mayor

Cc: Ms. Joyce Ship
Judith Mansbach, Director
Cheryl Russomanno, Township Clerk

January 20, 2016

Municipal Council
C/O Clerk Cheryl Russomanno
Township of Edison
100 Municipal Boulevard
Edison, NJ 08817

Honorable Council Members:

This is to inform you that I nominate Mr. Vasant Naik, of 2041 Oak Tree Road, Edison, New Jersey 08820, for your advice and consent to re-appointment of the Edison Library Board of Trustees pursuant to N.J.S.A. 40:54-9 and Township Code Section 2-97.1.

I respectfully request your support for his nomination. His term will expire on December 31, 2020.

Thank you.

Sincerely,

/s/Thomas Lankey
Mayor

cc: Mr. Vasant Naik
Judith Mansbach, Director
Cheryl Russomanno, Township Clerk

COUNCIL PRESIDENT'S REMARKS

Council President Lombardi said due to the impact of the storm, we haven't seen an accumulation in about 20 years he is very proud of our Department of Public Works, Police and our Office of Emergency Management. They all did a great job. He also announced the change in the February 8th meeting being canceled and scheduled to be a combined meeting of February 10, 2016.

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on January 6, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1919-2016 ORDINANCE AUTHORIZING A MONTH TO MONTH LEASE FOR STORAGE OF TOWNSHIP VEHICLES AND EQUIPMENT.

(The above Ordinance O. 1919-2016 can be found in its entirety in Ordinance Book 26.)

Council President Lombardi declared the Public Hearing opened for O.1919-2016

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

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

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

NAYS - None

The following Ordinance, which was introduced by Title on January 6, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1920-2016 ORDINANCE AMENDS THE EDISON TOWNSHIP CODE OF GENERAL ORDINANCES TO PROVIDE THAT THE TOWNSHIP'S DIVISION OF POLICE MAY BE STAFFED WITH TWO DEPUTY CHIEF'S RATHER THAN ONE.

(The above Ordinance O.1920-2016 can be found in its entirety in Ordinance Book 26.)

Council President Lombardi declared the Public Hearing opened for O.1920-2016

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

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

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

NAYS - None

NEW BUSINESS
PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR WEDNESDAY, FEBRUARY 10, 2016)

The following Ordinances were introduced by title:

O.1921-2016 AN ORDINANCE ESTABLISHING THE NOT TO EXCEED SALARIES OF CERTAIN OFFICERS, DEPARTMENT HEADS AND EMPLOYEES OF THE TOWNSHIP FOR 2016.

On a motion made by Councilmember Karabinchak , seconded by Councilmember Diehl , this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on February 10, 2016.

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

NAYS - None

Council President Lombardi is adding a Resolution to the Consent Agenda. Resolution R.084-012016 – Resolution authorizing refund of tax overpayments, totaling \$40,336.80.

On a motion made by Councilmember Diehl, seconded by Councilmember Gomez, this Resolution R.084-012016 is added to the Consent Agenda.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.052-012016 through R.084-012016.

Esther Nemitz, 162B Fay Street, said she is in full support of Resolution R.068-012016, this is a perfect location and she feels we have a good chance of an opportunity to have more affordable housing.

Maryann Hennessey, 20 Carmello Drive, said she has some concerns on Resolution R.065-012016 to hire the new Department of Public Works Director because he comes from a much smaller town. She asked for a copy of his resume.

Ms. Ruane replied she can get a copy for the Clerk's Office.

Ms. Hennessey also had a question on Resolution R.069-012016 why are we giving grants to a Highland Park Church.

Council President Lombardi replied the grant is for a location on Oak Tree Road in Edison.

Ms. Hennessey asked if the Attorney can explain Resolution R.068-012016.

Attorney Nee, explained the Amendment that is being purposed to the BRAC.

Fred Wolke, 10 Peake Road, asked if Resolution R.062-012016 Award contract to Shirley Bishop is the same amount as last year contract. He thought the authorities are in court on COAH.

Engineer Kataryniak reported he is in the process of updating our affordable housing plan.

Attorney Nee, explained the situation with COAH is driven by the courts. Shirley Bishop has spent numerous hours.

Irene Wall, 205 Fleet Avenue, asked who is governing what we do here regarding COAH, we are the only state that has this. She is concerned on the criteria for Veterans regarding the affordable housing plans.

Attorney Nee replied the state rules on COAH.

Council President Lombardi commented it is left for the Courts to decide.

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

The following Resolutions R.052-012016 through R.084-012016 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.052-012016

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JANUARY 21, 2016

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through January 21, 2016.

FUND	AMOUNT
Current	\$9,960,020.63
Affordable Housing	6,822.51
Capital	402,822.51
Cash Performance	123,034.68
CDBG	60,772.07
Developers Escrow	32,104.25
Dog (Animal Control)	216.77
Federal Forfeited	983.70
Grant Funds	31,285.93
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	903,318.83
Sanitation Fund	235,146.12
Sewer Utility	200,239.04
Tax Sale Redemption	1,080,238.54
Tree Fund	6,489.00
Tree Planting	4,425.00
Trust	186,935.96
TOTAL	\$13,234,855.54

/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.053-012016

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 **\$230,286.37**.

RESOLUTION R.054-012016

**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	KHATIWALA, JAGDISH M & SHILA
PROPERTY LOCATION	3 LENCH AVE
BLOCK / LOT / QUALIFIER	975/9

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
015550-2013	2013	220,500

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$854.90** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	854.90

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 **\$854.90**.

RESOLUTION R.055-012016

**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	ROLLINS LEASING CORP#210 C/O PENSKE
PROPERTY LOCATION	130 MEADOW RD
BLOCK / LOT / QUALIFIER	366/7.E

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
013736-2012 FREEZE ACT	2013	550,000
013736-2012 FREEZE ACT	2014	550,000

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$9,799.02** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	4,823.76
2014	4,975.26

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 **\$9,799.02**.

RESOLUTION R.056-012016

**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.562-082015**:

TAXPAYER	RJR REALTY ASSOCIATES, LLC
PROPERTY LOCATION	1943-1959 OAK TREE RD
BLOCK / LOT / QUALIFIER	557.EE/5
DOCKET NUMBER:	015477-2012
TAX YEAR	2012

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):2013 and 2014.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$17,308.79** 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 **\$17,308.79**.

RESOLUTION R.057-012016

Fixing Rate of Interest, Grace Period, and Year End Penalty for Tax and Sewer

WHEREAS, pursuant to N.J.S.A. 54:4-66.1, taxes in municipalities operating under a calendar based fiscal year shall be payable for the first quarterly installment of the year on February 1, for the second quarterly installment on May 1, for the third quarterly installment on August 1, and for the fourth quarterly installment on November 1; and

WHEREAS, N.J.S.A. 54:4-67 provides that the governing body may fix the rate of interest to be charged for the non-payment of taxes, assessments &/or other municipal liens or charges; and

WHEREAS, N.J.S.A. 54:4-67(a), further provides that taxes shall not be subject to interest charges if payment of any installment is made within the tenth calendar day following the date upon which the same became payable; and

WHEREAS, N.J.S.A. 54:4-67 (c), provides that within the current fiscal year if any delinquency is in excess to \$10,000.00, a penalty not to exceed 6% may be charged; and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:4-66 et seq, the rate of interest to be charged on delinquent taxes and all other municipal liens or charges for the first, second, third and fourth quarterly installments of year **2016** shall be eight percent (8%) per annum on the first \$1,500.00 of delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment to the collector is received provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which same became payable; and

BE IT FURTHER RESOLVED, that the rate of interest on unpaid sewer utility bills shall be eighteen percent (18%) per annum on any delinquency to be calculated from the date the bill was payable until the date of actual payment, provided that no interest shall be charged if payment of any bill is made within thirty (30) calendar days following the billing date or before the tenth calendar day following the date upon which same became payable, whichever is later; and

BE IT FURTHER RESOLVED, that a penalty of six percent (6%) be charged on all delinquent municipal charges in excess of \$10,000.00 that are not paid prior to the end of the fiscal year

RESOLUTION R.058-012016

Authorizing Accelerated Tax Sale and Fees for 2016

WHEREAS, it is projected that as of November 11, 2016, over 25% of properties located within the Township of Edison will have unpaid municipal charges (i.e. real estate taxes, sewer service charges, and/or any other charges legally imposed by municipality); and

WHEREAS, N.J.S.A. 54:5-19 requires that any unpaid taxes and/or other municipal charges that remain in arrears on the eleventh day of the eleventh month be sold at a tax sale; and

WHEREAS, Chapter 99, Public Laws allows accelerated tax lien sale as of the eleventh day of the eleventh month of the fiscal year upon passage of a resolution of the governing body; and

WHEREAS, the annual accelerated tax sale for the Township of Edison is scheduled to be held on or about December 19th, 2016; and

WHEREAS, the tax sale process is lengthy and costly and places a large financial burden on the general tax base; and

WHEREAS, it is the desire of the Township of Edison to hold taxpayers who cause the tax sale procedure to be held accountable for the fees associated with said sale; and

WHEREAS, N.J.S.A. 54:5-26 provides for direct mailing of the tax sale notices in-lieu of up to two (2) legal advertisements, the costs of which shall be added to the cost of the sale, not to exceed \$25.00 for each set of notices; and

WHEREAS, it is the recommendation of the Municipal Tax Collector that an appropriate direct mail cost for the 2016 tax sale would be Twenty-Five (\$25.00); and

WHEREAS, N.J.S.A. 54:5-38 provides for fees in connection with holding a tax sale, of two (2%) percent of the total of municipal charges, including all interest and penalties, to the date of sale. The two (2%) percent shall not be less than Fifteen (\$15.00) dollars nor more than One Hundred (\$100.00) dollars for each parcel sold; and

WHEREAS, N.J.S.A. 54:5-29 provides for payment prior to the tax sale to include all interest, costs and penalties;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison in the County of Middlesex the Tax Collector is hereby authorized to conduct an accelerated tax lien sale for Calendar Year 2016 delinquencies.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:5-26, the Tax Collector’s office is hereby authorized to send two (2) direct mailings, in lieu of 2 advertisements, and collect a mailing fee of Twenty Five dollars (\$25.00) for each notice mailed; and

BE IT FURTHER RESOLVED, that costs of preparation, administration and advertisement, prior to the sale are hereby determined to be two (2%) percent of the total municipal charges, including all penalties and interest, but not less than Fifteen (\$15.00) dollars and not more than One Hundred (\$100.00) for each parcel.

RESOLUTION R.059-012016

Authorizing Cancellation of Small Balances for 2016

WHEREAS, the Municipal Tax Collector informs that from time to time there are property tax credits or delinquencies on certain property located within the Township of Edison, and

WHEREAS, N.J.S.A. 40A:5-17.1 provides that a municipality may adopt a resolution authorizing a municipal employee to process, without further action on the part of the governing body, the cancellation of any property tax refund or delinquency of less than \$10.00, and

WHEREAS, that the Municipal Tax Collector is qualified, and recommends, to process said cancellation in his continuing effort to maintain the highest level of fiscal responsibility and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Municipal Tax Collector is hereby authorized to process the cancellation of tax refunds or delinquency of less than Ten (\$10.00) dollars during the calendar year of **2016** in accordance with N.J.S.A. 40A:5-17.1.

RESOLUTION R.060-012016

EXPLANATION: This Resolution authorizes the correction of Resolution #R:691-012015 regarding settlement of tax appeals filed by SRG1, LLC for tax years 2013, 2014 and 2015.

WHEREAS, on October 14, 2015, the Municipal Council of the Township of Edison adopted Resolution R:691-012015 authorizing settlement of tax appeals filed by SRG1, LLC, ("Taxpayer"), for the years 2013, 2014, and 2015; and

WHEREAS, Resolution R:691-012015 authorized settlement for an assessment of the 2013, 2014 and 2015 tax years as follows:

As to Lot 1.D4, Block 673

For Tax Year 2013	
Land	\$325,800.00

Improvements	\$ 84,200.00
Total	\$460,000.00

For Tax Year 2014	
Land	\$325,800.00
Improvements	\$ 84,200.00
Total	\$460,000.00

For Tax Year 2015	
Land	\$325,800.00
Improvements	\$ 84,200.00
Total	\$460,000.00

WHEREAS, the corrected total assessment should have been in the amount of \$403,100.00;

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amounts of **\$8697.10** for the 2013 Tax Year Appeal, **\$8970.25** for the 2014 Tax Year and **\$9239.75** for the 2015 Tax Year Appeal.

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

- Resolution R.691-012015 is hereby corrected to reflect a total assessment for the 2013, 2014, and 2015 tax years in the amount of \$403,100.00;
- For the 2013, 2014, and 2015 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

As to Lot 1.D4, Block 673

For Tax Year 2013	
Land	\$325,800.00
Improvements	\$ 77,300.00
Total	\$403,100.00

For Tax Year 2014	
Land	\$325,800.00
Improvements	\$ 77,300.00
Total	\$403,100.00

For Tax Year 2015	
Land	\$325,800.00
Improvements	\$ 77,300.00
Total	\$403,100.00

3. The Tax Appeal Attorney for the Township, is hereby authorized to execute a Stipulation of Settlement relative to the property tax appeals filed for the years 2013, 2014, and 2015, Docket Numbers 014126-13, 012184-14 and 010652-15, by the taxpayer, owning the property located at SRG1, LLC known as Block 673, Lot 1.D4.

NOW, THEREFORE, BE IT RESOLVED, that upon the 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.061-012016

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by Edison 1 North 35B,

LLC for tax years 2012, 2013 and 2014.

WHEREAS, Edison 1 North 35B, LLC, (the "Taxpayer"), the owner of property located at 1075 United States Rt 1 in Edison Township, County of Middlesex, and known as Block 199.A, Lot 35.02 on the Township of Edison's Tax Assessment Maps (the "Property"), filed tax appeals for the years 2012, 2013 and 2014 with the Tax Court of New Jersey, Docket Numbers 014722-2012, 014652-2013 and 013532-2014; and

WHEREAS, the Township Council of the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Tax 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 appeals has been negotiated in which the Taxpayer agrees to settle its appeals 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 reduction would result in a nominal tax refund when compared with the litigation costs involved in defending the assessment at trial; and

WHEREAS, the property was originally assessed as follows:

Land	\$ 596,000.00
Improvements	\$ 288,700.00
Total	\$ 884,700.00

WHEREAS, the proposed settlement provides for an assessment of the years 2012, 2013 and 2014 as follows:

Year	2012	2013	2014
Land	\$ 596,000.00	\$ 596,000.00	Withdrawn
Improvements	\$ 188,700.00	\$ 88,700.00	
Total	\$ 784,700.00	\$ 684,700.00	

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in consideration for the waiver of tax appeals 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, if the refunds as a result of this settlement set forth herein are to be refunded, the refund is to be made payable to "Schneck Law Group, LLC Attorney Trust Fund" and the taxpayer and forwarded to "Michael I. Schneck, Esq. of Schneck Law Group, 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039,"; 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;

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund as follows:

2012	2013	2014
\$4,729.00	\$9,552.00	Withdrawn

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

1. For the 2012, 2013 and 2014 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvements as follows:

Year	2012	2013	2014
Land	\$ 596,000.00	\$ 596,000.00	Withdrawn
Improvements	\$ 188,700.00	\$ 88,700.00	
Total	\$ 784,700.00	\$ 684,700.00	

2.

Interest is waived on the refunds, provided such refunds are 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 tax appeals filed for the years 2012, 2013 and 2014 Docket Numbers 014722-2012, 014652-2013 and 013532-2014, by the taxpayer, owning the property located at 1075 United States Rt. 1 in Edison Township, known as Block 199.A, Lot 35.02;

4. The form of Stipulation of Settlement is annexed hereto, having been reviewed by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE, BE IT RESOLVED, that upon the 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.062-012016

RESOLUTION AWARDED CONTRACT TO SHIRLEY BISHOP, P.P., LLC FOR AFFORDABLE HOUSING PLANNING AND CONSULTING SERVICES

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on December 16, 2015 for RFP 16-01-AFFORDABLE HOUSING PLANNING AND CONSULTING SERVICES for a bid opening date of January 5, 2016 and one (1) proposal was received; and

WHEREAS, after review of said proposal, it has been recommended by the Township that the contract be awarded to SHIRLEY BISHOP, P.P., LLC, 100 Overlook Dr., Floor 2, Princeton, NJ 08540; and

WHEREAS, funds in the amount of \$100,000.00 have been certified to be available in the Affordable Housing Account, No. T-13-00-0000-000-006; and

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

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

1. The proposal as submitted by SHIRLEY BISHOP, P.P., LLC, 100 Overlook Dr., Floor 2, Princeton, NJ 08540 is determined to be the lowest, responsible, responsive proposal for Affordable Housing Planning and Consulting Services.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$100,000.00, and any other necessary documents, with SHIRLEY BISHOP, P.P., LLC in accordance with her proposal.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$100,000.00** are available for the above contract in Account No. **T-13-00-0000-000-006**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.063-012016

RESOLUTION AUTHORIZING THE SECOND YEAR OF A TWO YEAR NON-FAIR AND OPEN CONTRACT TO SUN LIFE ASSURANCE COMPANY OF CANADA FOR ADMINISTRATION SERVICES FOR SHORT TERM DISABILITY PLAN

WHEREAS, the Township of Edison has a need for administration services for management of its non workmen's compensation disability claims; and

WHEREAS, SUN LIFE ASSURANCE COMPANY OF CANADA, One Sun Life Executive Park, Wellesley Hills, MA, 02481 has submitted a proposal to provide such services for the fee of \$3.12 per participating employee per month for an amount not to exceed \$25,000.00; and

WHEREAS, this resolution authorizes payment of the second year of the contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

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

WHEREAS, SUN LIFE ASSURANCE COMPANY OF CANADA 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 SUN LIFE ASSURANCE COMPANY OF CANADA from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute the second year of the contract in the amount not to exceed \$25,000.00 and any other necessary documents with SUN LIFE ASSURANCE COMPANY OF CANADA, One Sun Life Executive Park, Wellesley Hills, MA, 02481 for administration services for management of its non workmen's compensation disability claims as described herein.
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
3. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.064-012016

RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT – POLICE, CROSSING GUARDS, TRANSPORTATION DRIVERS AND ANIMAL CONTROL PERSONNEL WITH FIT-RITE UNIFORM COMPANY INC. IN AN AMOUNT NOT TO EXCEED \$50,000.00

WHEREAS, FIT-RITE UNIFORM COMPANY INC., 657 Chestnut Street, Union, NJ 07083 was awarded Contract No. 15-04-04 Uniforms and Equipment – Police, Crossing Guards, Transportation Drivers and Animal Control Personnel, through resolution R.178-032015 for the period April 15, 2015 to April 14, 2016 in the amount of \$27,500.00 and that amount has been depleted; and

WHEREAS, additional funds in the amount of \$50,000.00 are needed to replenish and complete the one year term of the contract, and until such a time as we award a new contract; and

WHEREAS, the Township recommends an additional amount not to exceed \$50,000.00 with all prices as well as all terms and conditions to remain the same; and

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

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

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); 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 \$50,000.00 and any other necessary documents with FIT-RITE UNIFORM COMPANY INC., described herein.

RESOLUTION R.065-012016

Explanation: A Resolution providing the Municipal Council's advice and consent to the appointment by the Mayor of John K. Haines, C.P.W.M., C.R.P. as Township Director of the Department of Public Works.

WHEREAS, the Township of Edison (the "Township") is a public body corporate and politic of the State of New Jersey and seeks to hire a director ("Director") of its Department of Public Works ("Department"); and

WHEREAS, the Director shall be responsible for the administration, direction, coordination, supervision and control of all divisional units of the Department; and

WHEREAS, the Municipal Council of the Township ("Municipal Council") has reviewed the qualifications of John K. Haines, C.P.W.M., C.R.P. to serve as Director, including his education, training, experience and various licenses and certifications, and found him both highly experienced and suitable to fill the available position; and

WHEREAS, the Mayor desires to appoint John K. Haines, C.P.W.M., C.R.P. as Director of the Department, for the reasons set forth herein; and

WHEREAS, the Municipal Council seeks to provide its advice and consent to the aforesaid appointment, in accordance with *N.J.S.A. 40:69A-43(b)*; and

WHEREAS, John K. Haines, C.P.W.M., C.R.P. shall be appointed as Director for a term coterminus with the term of office of the Mayor at an annual salary of \$120,000.00 as previously authorized by ordinance.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby provides its advice and consent to the Mayor's appointment of John K. Haines, C.P.W.M., C.R.P. to serve as Director of the Department, for a term coterminus with the term of office of the Mayor at an annual salary of \$120,000.00 as previously authorized by ordinance.
3. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
4. This Resolution shall take effect immediately.

RESOLUTION R.066-012016

WHEREAS, The Edison Department of Health and Human Services established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Wal-Mart Foundation has grant funds available, through its FY16 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Wal-Mart and Sam's Club serve, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$2,000.00 from the Wal-Mart Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the Wal-Mart Foundation; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Wal-Mart Foundation as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled Public Meeting on the evening of Wednesday, January 27, 2016.

RESOLUTION R.067-012016

EXPLANATION: This Resolution accepts and adopts the Central Jersey Municipal Joint Insurance Fund's new 2016 Safety Incentive Program.

WHEREAS, the Township of Edison ("Township") is a member of the Central Jersey Municipal Joint Insurance Fund ("Central JIF"); and

WHEREAS, it is the policy of the Central JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the Central JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the Central JIF endeavors to ensure that all of its members are in compliance with applicable safety and health requirements; and

WHEREAS, the Central JIF's Safety Committee is made up of representatives of the Central JIF's member municipalities, along with the professionals employed by the Central JIF; and

WHEREAS, the new Central JIF's new 2016 Safety Incentive Program will assist all the Central JIF members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) requirements; and

WHEREAS, the Central JIF has adopted the new 2016 Safety Incentive Program which should succeed in providing a safe, healthful and pleasant environment; and

WHEREAS, the municipal council of the Township ("Municipal Council") desires to adopt the Central JIF's new 2016 Safety Incentive Program.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The Municipal Council hereby adopts the Central JIF's new 2016 Safety Incentive Program on behalf of the Township.

Section 3. A copy of this Resolution shall be kept on file and made available for public inspection at the office of the Township Clerk. The Township Clerk shall forward a certified copy of this Resolution to J.A. Montgomery Risk Control, Attn: Natalie Dougherty, 401 Route 73 North, Suite 300, P.O. Box 177, Marlton, New Jersey 08503.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.068-012016

EXPLANATION: This Resolution amends the Resolution authorizing an Amendment to the Redevelopment Plan and Homeless Assistance Submission regarding certain property at Camp Kilmer.

**A RESOLUTION AMENDING THE 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, on December 21, 2015 the Council of the Township of Edison authorized an Amendment to the Redevelopment Plan and Homeless Assistance Submission for Camp Kilmer dated January 13, 2008, to use certain property known as Building 1066 for Affordable and Homeless Housing for Veterans and eligible applicants at the site; and

WHEREAS, upon further review and consideration of several options for the Camp Kilmer site, it has been determined that Building 1066 is better suited for passive recreational use for the community, and Building 1065 presents a more suitable site for development of affordable housing for Veterans and other eligible applicants, and therefore, there is a need to amend the prior Resolution with respect to the property.

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:

1. The Council hereby authorizes staff to make the appropriate applications necessary and take all other required actions needed to amend to the Redevelopment Plan and Homeless Assistance Submission for Camp Kilmer to reflect use of Building 1066 for passive recreational use, and use of Building 1065, for the development of Affordable and Homeless Housing for Veterans and eligible applicants.
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.069-012016

Explanation: A Resolution authorizing the grant of certain funds in the amount of \$9,440.00 to the Reformed Church of Highland Park Affordable Housing from the Township's Affordable Housing Emergency Generator Program.

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

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

WHEREAS, an application to participate in the Program was submitted by the Reformed Church of Highland Park Affordable Housing and was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to the Reformed Church of Highland Park Affordable Housing in the amount of \$9,440.00 for the purchase and installation of an emergency generator under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and the Reformed Church of Highland Park Affordable Housing with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$9,440.00 from the Township's Affordable Housing Trust Fund (T-13-00-0000-000-006) with respect to the Township's Emergency Generator Program, to the Reformed Church of Highland Park Affordable Housing for the purchase and installation of an emergency generator, and authorizes the execution of an Agreement with the Reformed Church of Highland Park Affordable Housing with respect to such grant.
2. That an original copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.070-012016

EXPLANATION: A Resolution authorizing the grant of certain funds to the Edison Housing Authority from the Township's Affordable Housing Emergency Generator Program for Julius Engels Apartments, South Edison.

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

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Emergency Generator Program in accordance with COAH's directives, which set forth the application

process for applicants to comply with in order to participate in the Program and receive a grant for such work under the Program; and

WHEREAS, an application to participate in the Program was submitted by the Housing Authority of the Township of Edison and was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to the Housing Authority of the Township of Edison in the amount of \$48,532.85 for the purchase and installation of an emergency generator for Julius Engels Apartments under the Township’s Emergency Generator Program and to authorize the execution of an Agreement between the Township and the Housing Authority of the Township of Edison with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$48,532.85 from the Township’s Affordable Housing Trust Fund (T-13-00-0000-000-006) with respect to the Township’s Emergency Generator Program, to the Housing Authority of the Township of Edison for the purchase and installation of an emergency generator, and authorizes the execution of an Agreement with the Housing Authority of the Township of Edison with respect to such grant.
2. That an original copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.071-012016

Explanation: A Resolution authorizing the grant of \$22,952.00 from the Township’s Affordable Housing Emergency Repairs Program to Catholic Charities for replacement windows at Ozanam Family Shelter.

WHEREAS, by Resolution the Township Council approved, authorized and established an Emergency Repairs Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner or rental property, sponsors of permanent supportive housing, shared living arrangements (group homes) and certain public housing units in the Township of Edison, to make eligible repairs/replacements to systems or items, that if neglected, pose threats to the health and/or safety of the current of prospective tenants, and committed \$500,000 from the Township’s Affordable Housing Trust Fund for this purpose; and

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

WHEREAS, an application to participate in the Program was submitted by Catholic Charities, was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to Catholic Charities for window replacements in the dormitory at Ozanam Family Shelter in the amount of \$22,952.00 the purposes set forth herein under the Township’s Emergency Repair Program and to authorize the execution of an Agreement between the Township and Catholic Charities, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$22,952.00 from the Township’s Affordable Housing Trust Fund with respect to the Township’s Emergency Repairs Program, to Catholic Charities for Ozanam Family Shelter, for the purposes set forth herein and authorizes the execution of an Agreement with Catholic Charities, 319 Maple Street, Perth Amboy, NJ 08861 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.072-012016

Explanation: A Resolution authorizing the grant of \$6,690.00 from the Township’s Affordable Housing Emergency Repairs Program to Catholic Charities for an HVAC system at Ozanam Family Shelter.

WHEREAS, by Resolution the Township Council approved, authorized and established an Emergency Repairs Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner or rental property,

sponsors of permanent supportive housing, shared living arrangements (group homes) and certain public housing units in the Township of Edison, to make eligible repairs/replacements to systems or items, that if neglected, pose threats to the health and/or safety of the current or prospective tenants, and committed \$500,000 from the Township's Affordable Housing Trust Fund for this purpose; and

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

WHEREAS, an application to participate in the Program was submitted by Catholic Charities, was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to Catholic Charities for window replacements in the dormitory at Ozanam Family Shelter in the amount of \$6,690.00 for the purposes set forth herein under the Township's Emergency Repair Program and to authorize the execution of an Agreement between the Township and Catholic Charities, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$6,690.00 from the Township's Affordable Housing Trust Fund with respect to the Township's Emergency Repairs Program, to Catholic Charities for Ozanam Family Shelter, for the purposes set forth herein and authorizes the execution of an Agreement with Catholic Charities, 319 Maple Street, Perth Amboy, NJ 08861 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.073-012015

Explanation: A Resolution authorizing the grant of certain funds to the Edison Housing Authority from the Township's Affordable Housing Emergency Generator Program for Robert Holmes Gardens, North Edison.

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

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

WHEREAS, an application to participate in the Program was submitted by the Housing Authority of the Township of Edison and was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to the Housing Authority of the Township of Edison in the amount of \$43,323.55 for the purchase and installation of an emergency generator for Robert Holmes Gardens under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and the Housing Authority of the Township of Edison with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$43,323.55 from the Township's Affordable Housing Trust Fund (T-13-00-0000-000-006) with respect to the Township's Emergency Generator Program, to the Housing Authority of the Township of Edison for the purchase and installation of an emergency generator, and authorizes the execution of an Agreement with the Housing Authority of the Township of Edison with respect to such grant.
2. That an original copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.074-012016

Explanation: Resolution Refunding Inspection Fees to Mediplex Surgical Center, 98 James Street, Edison NJ 08820, Account 7200024964

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Block: 643.FF Lot: 17.M2

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

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

WHEREAS, it is in now in order that the sum of \$583.75, which represents the amount due and owing the applicant, be returned to JFK Medical Center, 98 James Street, Edison NJ 08820, Account #7200024964

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the sum of \$583.75 plus accrued interest, if applicable, be refunded to the applicant, JFK Medical Center, Edison NJ 08820 Account #7200024964

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$583.75, in account #7200024964 to the applicant.

RESOLUTION R.075-012016

Explanation: Resolution Refunding Tree Maintenance Bond to Tingley Estates, LLC 12 Madden Court, Edison NJ 08820 11-097 Account # 7762575764

WHEREAS, on July 5, 2013, Tingley Estates, LLC posted Tree Maintenance Bond fees in the amount of \$18,600.00 on deposit with the Township of Edison in account #7762575764 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #11-097.

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 \$18,600.00, 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 \$18,600.00 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 \$18,600.00 on deposit in Account #7762575764 Tingley Estates LLC, having offices at 12 Madden Court, Edison, NJ 08820, **Account #7762575764**

RESOLUTION R.076-012016

Explanation: Resolution Refunding Cash Performance and Performance Bond Reduction Balance to Tingley Estates, LLC 12 Madden Court, Edison, NJ 08820 Account #7760013405

WHEREAS, the Township Engineer advises that an inspection has been made of Tingley Estates Block #425 Lot: 73, 74, 13-F4, 13-I-13, Application #P5029 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison, therefore, it is now in order that Final Acceptance is granted and the Cash Performance Bond Reduction Balance and the Performance Bond Reduction Balance presently being held by the Township of Edison be released; and

WHEREAS, a Cash Performance Bond Check #9428601391 was posted on March 24, 2010 by Tingley Estates, LLC in the amount of \$25,186.92 on deposit in Account #7760013405; and

WHEREAS, a Cash Performance Bond Reduction was posted on December 10, 2010, Resolution #726-112010 reducing the Cash Performance Bond to \$12,593.46; and

WHEREAS, a Performance Bond check #9428601390 was posted on March 24, 2010 by Tingley Estates, LLC in the amount of \$226,682.28; and

WHEREAS, a Performance Bond Reduction was posted on December 10, 2010, Resolution #726-112010 reducing the Performance Bond to \$113,341.14; and

WHEREAS, the Township Engineer recommends the release of the Cash Performance Bond Reduction balance in the amount of \$12,593.46 plus accrued interest, if applicable, on deposit in account #7760013405 principal being Tingley Estates, LLC having offices at 12 Madden Court, Edison, NJ 08820 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer recommends the release of the Performance Bond Reduction balance in the amount of \$113,341.14; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to return the aforesaid Performance Bond in the amount of \$113,341.14, to the applicant; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$12,593.46, plus accrued interest, if applicable, on deposit in account #7760013405 to the applicant.

RESOLUTION R.077-012016

EXPLANATION: Releasing Cash performance to Lube Express, Account #7200025248

WHEREAS, the Township Engineer advises that an inspection was made on the above subject located in Block #686 Lot: 9-E

WHEREAS, the Division of Engineering Services recommends the release of the Cash Performance Bond, in the amount of \$105.03, in account 7200025248

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the aforementioned improvements are hereby complete and satisfactory and the Chief Financial Officer is hereby authorized to release the aforesaid Cash Performance; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the Cash Performance in the amount of \$105.03, on deposit in account #7200025248 to the applicant, having an address of 25 Main Street 4th Floor, Hartford Ct, 06106 Attn: Jim Wachner

RESOLUTION R.078-012016

Explanation: Resolution Refunding Cash Performance Gulberg Builders for Application #Z21-2014, 12 & 14 Hamilton Avenue Account #7763342399

WHEREAS, the Township Engineer advises that an inspection has been made of 12 & 14 Hamilton Avenue Application #Z21-2014, Block: 643-B-T Lot: 34.01 & 37.01, and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on November 18, 2014 in the amount of **\$16,212.00**, plus accrued interest, if applicable on deposit in account #7763342399 with the Township of Edison, principal being Gulberg Builders, LLC, having offices at 3830 Park Avenue Suite 205, Edison, NJ 08820 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$16,212.00** plus accrued interest, if applicable, on deposit in account #7763342399 to the applicant, Gulberg Builders LLC, 3830 Park Avenue Suite 205, Edison, NJ 08820.

RESOLUTION R.079-012016

Explanation: Resolution Refunding Developers Escrow Fees to Lube Express Account 7200024504

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Block: 686 Lot: 9-E

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

WHEREAS, it is in now in order that the sum of \$599.79, which represents the amount due and owing the applicant, be returned to 25 Main Street 4th Floor, Hartford, CT 06106 Account #7200024504

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the sum of \$599.79 plus accrued interest, if applicable, be refunded to the applicant, Account #7200024504

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$599.79, in account #7200024504 to the applicant, having an address of 25 Main Street 4th Floor, Hartford Ct, 06106 Attn: Jim Wachner.

RESOLUON R.080-012016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO JEN ELECTRIC INCORPORATED FOR EMERGENCY TRAFFIC SIGNAL REPAIRS

WHEREAS, bids were received by the Township of Edison on January 8, 2016 for Public Bid No. 16-06-26-Emergency Traffic Signal Repairs for the Department of Public Works; and

WHEREAS, JEN ELECTRIC INCORPORATED, 631 Morris Ave., Springfield, NJ 07081, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$75,000.00, 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 JEN ELECTRIC INCORPORATED, 631 Morris Ave., Springfield, NJ 07081, for Emergency Traffic Signal Repairs for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$75,000.00, and any other necessary documents, with JEN ELECTRIC INCORPORATED 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.

RESOLUTION R.081-012016

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO LOWES HOME CENTERS LLC FOR THE FURNISHING OF WALK-IN BUILDING SUPPLIES FOR THE TOWNSHIP OF EDISON

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

WHEREAS, LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode ABECS, Wilkesboro NC 28697, has been awarded State Contract Number 82951 under M-8001/Walk-In Building Supplies; and

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

WHEREAS, the total amount of this contract, not to exceed \$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.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$20,000.00 and any other necessary documents, with LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode ABECS, Wilkesboro, NC 28697 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. 82951/M-8001.

RESOLUTION R.082-012016

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO AIR BRAKE & EQUIPMENT FOR THE FURNISHING OF MAINTENANCE AND REPAIR FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to maintain and repair heavy duty vehicles (class 5 or higher, over 15,000 LB GVWR) for the Township of Edison; and

WHEREAS, AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, has been awarded State Contract Number 89279 under T-2108 Maintenance and Repair for Heavy Duty Vehicles; and

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

WHEREAS, the total amount of this contract, not to exceed \$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.

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 \$20,000.00 and any other necessary documents, with AIR BRAKE & EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 89279 under T-2108.

RESOLTUION R.083-012016

Explanation: A Resolution authorizing the refunding of a limousine licensing fee to Blue Limo Service, LLC due to over-collection.

WHEREAS, the Township of Edison (“Township”) is responsible for the licensing of local limousine services pursuant to Section 11-31 of its Code of Ordinances; and

WHEREAS, New Jersey State law at *N.J.S.A.* 48:16-17 limits the fees allowed to be charged limousine services for municipal licensing; and

WHEREAS, the Township over-charged Blue Limo Service, LLC (“Blue”) for the issuance of its 2012 and 2013 limousine service licenses in contravention of State law; and

WHEREAS, the municipal council of the Township (“Municipal Council”) desires to refund \$1,580.00 to Blue representing the amount over-collected with respect to Blue current license.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township finance department is hereby authorized to refund \$1,580.00 to Blue to resolve the Township’s over-collection of limousine licensing fees.
3. This Resolution shall take effect immediately.

RESOLUTION R.084-012016

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

WHEREAS, applications have been made to the Tax Collector for refunds of said overpayments, totaling \$40,336.80 and

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

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

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

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

Mike Ussak , representative of Raritan Valley EMS, gave a report to the Council on the cooperation with JFK during the storm. He also reported they are still providing services for Football games and special events.

Council President Lombardi thanked all three squads.

Bruce Diamond ,Calvert Avenue, West asked if the Attorney has any answers to his questions.

Attorney Nee replied as to the Franchise Fee from the Cable Company, Mr. Northgrave will respond at the February 10th meeting.

Mr. Diamond, said they did a decent job plowing. He understands during the snow storm they plow and may block residents driveway, however, after residents have cleaned their driveway entrances we need to figure some way during final cleanup not to put snow back.

Councilmember Diehl agreed with Mr. Diamond. He also said in Carteret they turned the plows as not to block resident’s driveway. We need to come to some type of compromise.

Irene Wall, 205 Fleet Avenue, asked for an explanation why companies qualify for the freeze act. She also asked who is responsible for cleaning the snow from the Fire Hydrants.

Councilmember Karabinchak said the law states companies can quality for freeze act for 3 years.

Chief Latham said the fire hydrants are the property of the water company.

Arvind Thattle, 4 Sunshine Lane, said he is a committee person and this time the snow clean up was very bad. There is a special needs child on the street, and he had sent several emails to the Mayor and phone calls to the public works department.

Council President Lombardi said if you have an emergency you should call 911.

Ms. Ruane said the major arteries are plowed first then the secondary streets.

Walt Schneer, Park Way, said he has lived here for 41 years and he has cleaned the fire hydrants on his block.

Ms. Ruane reported the men worked 18-21 hours, covering 1377 roads driving the plows, they are experienced. We go through all the roads to open up access and the manicuring is done after the storm.

Councilmember Shah said she is looking forward to debriefing meeting and how we can improve the final clean up after storm.

Ms. Ruane said we are handling resident calls and emails daily.

Council President Lombardi reminded everyone to either call or go to website QAlert and email.

Fred Wolke, 10 Peake Road, asked if there was a Resolution for P.S. E & G.

Ms. Ruane said she will have answer at February 10th meeting.

John Poyner, 40 Roosevelt Blvd., said people have dug out parking spaces on his street and shoveling into street soon, it will be a one way. His concern is when the plows come for final clean up can they make sure they don't block driveways.

Council President Lombardi said he will have Public Works look at his area. He suggested that residents add Nixel to their phones to get alerts.

Esther Nemitz, 162B Fay Street, she thanked the Council and Administration for the meeting on January 14th regarding Rehabilitation Area in Clara Barton, it gave the residents a great opportunity for their input, but there is still information missing from the Town Planners.

Councilmember Shah agreed with Ms. Nemitz .

Lois Wolke, 10 Peake Road, asked if there were any fines given out due to not cleaning of snow on sidewalks.

Council President Lombardi said you would get a warning first, if continued then fined.

Ms. Wolke asked if we are moving ahead with the Quality of Life Ordinance.

Council President Lombardi said we are still look over and we do currently have ordinances which pertain to Quality of Life issues.

Councilmember Gomez commented this council has been focused on making Edison a better place.

Maryann Hennessey, 20 Carmello Drive, 46 years she has lived in Edison and she was very happy with the snow plowing. She also asked if we know when the new Fire Pumper truck will be in service.

Chief Latham said there are two being delivered in the next month. The old ones get sold at auction.

Mr. Diamond, asked if the council communicated with Mr. Barnes regarding his bill.

Council President Lombardi said they are continuing discussions with Mr. Barnes.

Irene Wall, 205 Fleet Avenue, will be putting in an OPRA on the amount of money for fines in December.

Councilmember Gomez stated we are the enforcement it still has to go through the court system.

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

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember , the meeting was adjourned at 8:38 p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno, RMC
Municipal Clerk