

**MINUTES OF  
MUNICIPAL COUNCIL  
WORKSESSION AND REGULAR MEETING  
February 24, 2020**

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 6:11p.m. by Council President Ship-Freeman, followed by the Pledge of Allegiance.

Present were Councilmembers Brescher, Coyle, Diehl, Gomez, Joshi, Patil, and Ship-Freeman.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Inspector Spearnock, Township Engineer O’Krepky, Police Captain Akelson, Fire Chief Latham and Cameraman Cologne.

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, Criterion Sentinel and News Indian Times on December 13, 2019 and posted in the Main Lobby of the Municipal Complex on the same date.

The Council retired to Closed Session at 6:13 p.m., on a motion made by Councilmember Diehl seconded by Councilmember Gomez and duly carried. The Township Clerk read the following Resolution into the record:

**CLOSED SESSION RESOLUTION**

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

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

- 1) Personnel

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

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

The Council returned from Closed Session at 6:44p.m., on a motion made by Councilmember Diehl seconded by Councilmember Gomez and duly carried.

- 4. **REVIEW OF MINUTES:**
  - a. and b. No comments were made

- 5. **ADMINISTRATIVE AGENDA;  
FROM MAYOR THOMAS LANKEY:**
  - a. Councilmember Coyle asked for updated resume for any re-appointments.

- 6. **REPORTS FROM ALL COUNCIL COMMITTEES:**

Councilmember Coyle thanked the administration on behalf of the Beautification Committee for the Silverlake project.

Councilmember Joshi, the Library call an Emergency Meeting for Wednesday, February 26<sup>th</sup> at 7:00pm.

Councilmember Diehl, the Education Committee has meeting scheduled on Friday, February 28<sup>th</sup> at 5:00pm with the Board of Education.

- 7. **POINTS OF LIGHT**

Council President Ship-Freeman announced the Mayor’s State of the Township is tomorrow at the Pines at 7:00pm. Our new Voting Machines for demonstration are in the lobby until 8:00pm tonight. Our Special School Bond Referendum Election is March 10, 2020from 12noon to 8:00pm. Please mark your calendars we are changing our meetings in March to combined meeting on Wednesday, March 11<sup>th</sup> and 25<sup>th</sup> to begin at 6:00pm.

**8. FROM THE BUSINESS ADMINISTRATOR:**

- a. Councilmember Brescher asked is this good for us to settle if they are not entitled to or making documents.

Mr. Northgrave explained they were looking for back up on the Fire Department budget, we declined so they filed suit. They clarified what the requested documentation and legal fees so I recommended we settle.

Councilmember Patil, if we pass this we won't be setting a precedence

**9. FROM THE DEPARTMENT OF FINANCE:**

- a. No comments were made.

**10. FROM THE DEPARTMENT OF LAW:**

- a. Mr. Northgrave said we will be removing this Ordinance from the agenda tonight working on revisions.

- b., c. and d. Councilmember Brescher said he thinks these are great programs, however do we really need these things to be done right now? This money leads to be millions. He is looking out for the residents not to increase their rates.

Councilmember Patil asked can we live without this work.

Ms. Ruane explained they are requirements to be in compliance with water quality act. She will have the Director and the Engineering firm available at the next meeting.

Council President Ship-Freeman commented you want to put on the back burner, when we haven't had any repairs in twenty two to put us further behind. We knew we needed up front engineering to get started.

Councilmember Patil, wants comments from the experts.

Councilmember Coyle added lets table and put on for March 11<sup>th</sup> meeting.

**11. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**

- a. No comments were made.
- b. Councilmember Brescher asked if this was under contract bid.

Ms. Ruane, yes

- c, d, and e. No comments were made.

**12. FROM THE PUBLIC WORKS:**

- a. and b. No comments were made.

**13. FROM THE CHIEF OF FIRE:**

- a. No comments were made.

**14. FROM THE CHIEF OF POLICE:**

- a. No comments were made.

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

Councilmember Coyle reported at the January 23<sup>rd</sup> Special Meeting they approved a 699 sq. ft. warehouse over by the Motor Vehicle office in Kilmer.

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

O.2065-2020 No comments were made.

O.2067-2020 No comments were made.

**17. DISCUSSION ITEMS:**

**Council President Ship-Freeman:**

- a. Please conduct yourselves in an Adult like manner.

**Councilmember Brescher:**

- a. Minnie B. Veal Community Center he asked why the a/c unit is not on the roof, who came up with the plan. He also noted in the gym there is a column holding up.

Ms. Ruane, she will get him a report from Brian in Engineering and John Soltesz, Construction Official.

- b. The public safety building in Raritan Center need caulking.

Ms. Ruane will have someone check it out tomorrow.

**Councilmember Coyle:**

- a. He asked for an Update on Edmund Street.

Ms. Ruane replied we are still in the process of setting up an appointment with DOT.

- b. Stelton Community Center, what is the future plans?

Ms. Ruane, we are in talks with the Board of Education.

Mr. Northgrave explained it is on the Green Acres inventory we can change the looks but not the use of the building.

**Councilmember Diehl:**

- a.

**Councilmember Gomez:**

- a.

**Councilmember Joshi:**

- a. Library Board Meeting on Wednesday is on the expansion plans of the libraries. You can watch it on Facebook live at 7:00pm.

- b. He read A Resolution he would like to add to the meeting tonight which is for the removal of David Ye as a Library Trustee.

Councilmember Diehl, asked when is the next Library Meeting?

Councilmember Joshi explained we need to have an emergency meeting on Wednesday, February 26, 2020 due to Mr. Ye walking out of the last meeting and we couldn't finish the last meeting, to finish the work we were trying to do and expansion project for the libraries.

Councilmember Diehl, said he is trying to understand the sense of emergency. If we can afford our council colleagues more time to see the resolution that they may have not seen before today, he thinks that's fair.

Councilmember Joshi, your point is valid if you want more time of this, if people want more time to see they should watch all the videos.

Councilmember Diehl asked Councilmember Brescher if he saw this Resolution before tonight.

Councilmember Brescher expressed he has a lot of issues with the Library himself and he received this resolution at 6:05pm tonight.

Councilmember Joshi, said we can table this.

Mr. Northgrave explained there was a motion to add this but if you want you can just withdraw the Motion there is no need for a vote or just vote the motion down.

Councilmember Patil has a comment he wants on the record he understands he walked out of the meeting, how many people are on the library board. Where were the other four members? He commented that Mr. Brescher stated there are councilmembers getting involved with Library Board.

Council President Ship- Freeman asked Councilmember Patil which councilmember are you referring to getting involved.

Councilmember Patil didn't answer.

Councilmember Joshi, explained we need five members to have a quorum, he walked out after two hours into the meeting without explanation. We had to cancel the meeting and need to have an emergency meeting this week.

The public was yelling out.

Council President Ship-Freeman said this is the second time, please conduct yourselves in an Adult like manner.

**Councilmember Patil:**

- a. He thanked the Police and administration for the meeting last Thursday regarding the burglary, there were two question from that meeting Nixle alert and increase patrolman.

Ms. Ruane said the engineer had written to the police chief, she will follow up.

**COUNCIL PRESIDENT’S REMARKS:**

Council President Ship-Freeman said she doesn’t have an agenda, and I am not running for Mayor that’s why I speak to you like I speak to people. That is my remarks for this evening.

**APPROVAL OF MINUTES:**

On a motion made by Councilmember Diehl seconded by Councilmember Patil and duly carried, the Minutes of the Combined Meeting of November 25, 2019 and Combined Meeting of February 10, 2020 were accepted as submitted. Councilmember Brescher and Council President Ship-Freeman had to abstain from voting on November 25, 2019 minutes, as they were not on the Council at that time.

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

February 20, 2020

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

Re: Appointments to Fair Rental Housing Board

Dear Ms. Russomanno,  
Please inform the Council that I have made the following re-appointments to the Fair Rental Housing Board.  
For 3 year terms:

Donald Corrette with a term to expire December 31<sup>st</sup> 2022

Suzanne Cason O’Neil with a term to expire December 31<sup>st</sup> 2022

Please put on the next council agenda. Thank you for your attention to this matter.

Sincerely,



Thomas Lankey  
Mayor

cc: Pattie Leary

The above appointment was received on a motion made by Councilmember Diehl seconded by Councilmember Gomez and duly carried.

**UNFINISHED BUSINESS  
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING**

The following Ordinances, which were introduced by Title on January 22, 2020 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

**O.2065-2020                      ORDINANCE ESTABLISHING THE NOT-TO-EXCEED SALARIES OF TOWNSHIP OF EDISON COUNCIL MEMBERS**

(The above Ordinance O.2065-2020 can be found in its entirety in Ordinance Book #28.)

Council President Ship-Freeman declared the Public Hearing opened for O.2065-2020.

None

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, **NO** second was made on the Motion, therefore the Ordinance Dies.

The following Ordinances, which were introduced by Title on February 10, 2020 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

**O.2067-2020                      AN ORDINANCE MODIFYING THE MEMBERSHIP PARAMETERS OF THE HUMAN RELATIONS COMMISSION OF THE TOWNSHIP OF EDISON**

(The above Ordinance O.2067-2020 can be found in its entirety in Ordinance Book #28.)

Council President Ship-Freeman declared the Public Hearing opened for O.2067-2020.

Maria Orchid, 83 Jefferson Avenue, asked for explanation.

Council President Ship-Freeman, she explained we will be accepting applications as a whole to move Edison forward, cohesive, diverse, work together, every town has one. The group will be required to attend training. She will be collecting resume and developing an application.

Council Vice President Joshi applauded Council President Ship-Freeman for her hard work and efforts. We all recognize that Edison is a diverse community, you are showing us how much you are working to bring this community together.

Councilmember Coyle agrees with Councilmember Joshi, this is a great opportunity to for the township however I would prefer to set all the standards in this ordinance. He is in support of this.

Council President Ship-Freeman explained she added in the ordinance codes and more meat to it along with making sure people are trained.

Hearing no further comments, on a motion made by Councilmember Gomez seconded by Councilmember Patel 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 Brescher, Coyle, Diehl, Gomez, Joshi, Patil and Council President Ship-Freeman.

NAYS - None

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Ship-Freeman opened the meeting to the public for comments on Proposed Resolutions R.114-022020 through R.135-022020.

None

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

Councilmember Brescher requested that Resolution R.127-022020, R.128-022020 be pulled for separate vote.

Councilmember Patil requested that Resolution R.129-022020 to be pulled for separate vote.

The following Resolutions R.114-022020 through R.126-022020 and R.130-02020 through R.135-022020 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Gomez.

**RESOLUTION R.114-022020**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING February 20, 2020.

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, February 20, 2020.

<b>FUND</b>	<b>AMOUNT</b>
Current	\$22,622,600.27
Affordable Housing	17,939.83
Capital	142,199.70
Cash Performance	25,708.86
CDBG	720.00
Developers Escrow	33,222.25
Dog (Animal Control)	54,493.55
Federal Forfeited	0.00
Grant Funds	1,355.01
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	0.00
Sanitation Fund	16,026.03
Self Insurance	0.00
Sewer Utility	14,472.85
Tax Sale Redemption	121,249.20
Tree Fund	0.00
Tree Planting	60,998.32
Trust	181,827.14
Edison Water Utility	59,198.49
Edison Landfill Closure Trust	0.00
<b>TOTAL</b>	<b>\$23,352,011.50</b>

/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. 115-022020**

**Authorizing refund for redemption of tax sale certificates**

**WHEREAS**, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that 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 Tax Collector further reports that the said tax sale certificates have been redeemed thereof, and further advises that 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 aforementioned recitals are incorporated herein as though fully set forth at length.

**BE IT FURTHER RESOLVED**, by the Municipal Council of the Township of Edison, that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$295,989.49**.

**RESOLUTION R.116-022020**

**CANCELING TAX SALE CERTIFICATES SSUED FOR ERRONEOULY BILLED**

**WHEREAS**, on properties located within the Township of Edison, known and described as follow, tax sale certificates were issued as with details below; and

TAX SALE CERTIFICATE ISSUED TO	<b>19-00655</b>	<b>Outside</b>	<b>Malinowski, Jaroslaw (LH# 32)</b>
BLOCK / LOT / QUALIFIER / LOCATION	1153 / 11	26 COLTON RD	
BEING OWNED BY	LEVY, G & V		
ISSUED DATE & ORIGINAL AMOUNT	12/16/2019	\$5,058.29	
TOTAL VALUE UP TO 04/06/2020	\$5,272.62		
PREMIUM PAID (if any)	\$7,300.00		
REASON FOR CANCELATION	SUSUCCESSFUL COUNTY APPEAL FOR EXEMPTED TAXES		

**WHEREAS**, it has been brought to the Tax Collector’s attention that the charges that initiated above certificate(s) were incorrectly billed as they were calculated from charges that shall not be billed in indicated property; and

**WHEREAS**, a Successful County Appeal Judgement was filed for the cancellation of the charges that created above tax sale certificates claiming that the property continue being exempted and therefore that tax sale certificate were issued in error; and

**WHEREAS**, The Tax Collector has investigated the matter and further advises that the certificates above were erroneously issued based on charges reversed by appeal, and they need to be cancelled from delinquent records, and any moneys being returned to the outside lien holders with appropriate fees and interest;

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

**BE IT FURTHER RESOLVED** that tax sale certificates listed above be cancelled and removed from any delinquent record; and that the appropriate Municipal Officers be, and hereby authorized, to execute a cancellation and discharge of the aforementioned Tax Sale Certificates.

**BE IT FURTHER RESOLVED** that the appropriate officials of the Township are hereby authorized to draw checks to the outside lien holder, **Malinowski, Jaroslaw**, in the amounts specified above totaling **\$12,572.62**.

**RESOLUTION R.117-022020**

**TEMPORARY EMERGENCY APPROPRIATION**

**WHEREAS**, the Local Budget Law, specifically N.J.S.A. 40A:4-20, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of budget; and

**WHEREAS**, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by April 30, 2020 unless said budget calendar is extended according to law; and

**WHEREAS**, the date of this Resolution is prior to the adoption of the 2020 Calendar Year Budget,

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey that the following Temporary Emergency Appropriations be made and that a certified copy of this Resolution be transmitted to the Director of Finance for her record.

<u>CURRENT FUND</u>	<u>AMOUNT</u>
NJDOT Municipal Aid-Lindquist Park Paving Project Grant	625,000.00
Municipal Alliance Grant	89,712.00
<b>TOTAL CURRENT FUND</b>	<b>714,712.00</b>

**RESOLUTION R.118-022020**

**Authorizing Cancelation and Refund of Taxes for Exempted Disabled Veteran**

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

**WHEREAS**, Attached listing includes veterans who have been determined to have suffered a 100% service-related disability, with the determination of said disability being retroactive to the indicated effective date; and their respective owned properties, identified with their block, lot and qualifier, were already billed for indicated tax year; and

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may cancel by resolution taxes due on a property which would have been exempt had the claim been made at the time they were due; and

**WHEREAS**, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor; and

**WHEREAS**, pursuant to Township Code Section 5-7(d) the listed applicants are also due a refund of property taxes paid from the effective date of the determination; and the Tax Collector has reviewed the applications, approvals and taxes paid and recommends that the listed applicants are entitled to receive refund of paid taxes in the amount indicated on the attached list.

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison that the:

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) property taxes be cancelled:
  - a. for the indicated quarters, tax years and amounts already billed, due and assessed as specified on the attached list totaling **\$6,211.20**
  - b. for any further amounts calculated by the Tax Collector for the current year after the setting of the tax rate and final assessment,
- 3) Appropriate official of the Township shall be, and is hereby, authorized to draw checks to the noted disabled parties for the taxes already paid, or paid any time after; for the applicable exemption periods set forth and for the amount specified in the attached list totaling **\$6,211.20**, and any other further overpayment amount reflected in the account and related to this resolution.

**RESOLUTION R.119-022020**

**EXPLANATION: This resolution provides refund of the construction permit fee, posted for a Generator install for a senior, by Edison Heating & Cooling, Located at 191 Vineyard Road, Edison N.J. 08817**

*WHEREAS*, on December 30, 2019, a Construction Permit #2019-4725 was paid for in the amount of \$574.00 by Edison Heating & Cooling, having offices at 191 Vineyard Road, Edison NJ 08817;

*WHEREAS*, the application was submitted for Generator for a senior, located at 11 Woerner Ct, Edison NJ 08817, paid for by Edison Heating & Cooling contractor;

*WHEREAS*, appropriate documents have been submitted to the Township indicating that the work was paid for and it is appropriate that the permit fee be refunded to Edison Heating & Cooling, in the amount of \$440.00 total construction permit fee, Less DCA & 20 percent review fee. Shall be refunded to the contractor, having offices at 191 Vineyard Road, Edison, N.J. 08817

*WHEREAS*, the Township Construction Official recommends the refund of Permit fee, Permit #2019-4725, in the amount of \$440.00 for the referenced application;

*NOW, THEREFORE, BE IT RESOLVED* by the Municipal Council of the Township of Edison that the sum not to exceed \$440.00 on construction permit fees posted by Edison Heating & Cooling, having offices at 191 Vineyard Road, Edison, N.J. Ewing, NJ 08638-1828, be refunded to the contractor in the amount of \$440.00

*BE IT FURTHER RESOLVED*, that the Director of Finance be and is hereby authorized to refund the said amount of \$440.00 from the Refund of Revenue Fund to the Contractor, Edison Heating & Cooling, 191 Vineyard Road, Edison, NJ 08817

**RESOLUTION R.120-022020**

**EXPLANATION: This resolution provides for refund of the construction permit fee, less the DCA fee & Review fee, posted for a residential construction permit.**

*WHEREAS*, on September 4, 2019, a Construction Permit fee, check #0122, permit #2019-3218, was posted in the total amount of \$502 by the contractor, Sunrun Installation Services., having offices at 26 Worlds Fair Dr. Somerset, N.J. 08873 ; and

*WHEREAS*, the application was submitted for a Solar Installation at 40 Foley Ave. By the hired contractor. Sunrun Installation Services, Inc. The resident has cancelled the job.

*WHEREAS*, appropriate documents have been submitted to the Township indicating that the work was never done and the contractor is asking for a refund of permit cost in the amount of \$502.00 less DCA fee of \$27.00, less 20 percent of review fee \$95.00, the total refund in the amount of \$380.00 is the total refund for Sunrun Installation services., having offices at 26 Worlds Fair Dr. Somerset, NJ 08873;

*WHEREAS*, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2019-3218, in the amount of \$380.00 for the referenced application;

*NOW, THEREFORE, BE IT RESOLVED* by the Municipal Council of the Township of Edison that the sum not to exceed \$380.00 on construction permit fees posted by Sunrun Installation Services, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873. be refunded to the contractor;

*BE IT FURTHER RESOLVED*, that the Director of Finance be and is hereby authorized to refund the said amount of \$380.00 from the Refund of Revenue Fund to the Contractor, Sunrun Installation Services., having offices at 26 Worlds Fair Drive, Somerset, N.J. 08873

**RESOLUTION R.121-022020**

**EXPLANATION: This resolution provides refund of the construction permit fee, posted for a Generator install for a senior, residing at 48 Clive Hills, Edison N.J. 08820**

*WHEREAS*, on November 13, 2019, a Construction Permit #2019-4081 was paid for in the amount of \$576.00 by W. Danley Electrical Co, having offices at 9 Federal Road, Monroe, NJ 08831;

*WHEREAS*, the application was submitted for Generator for a senior, located at 48 Clive Hills Road, Edison NJ 08820, Joan Wilson, paid for by W. Danley Electrical Co, contractor;

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was paid for and it is appropriate that the permit fee be refunded to W. Danley Electrical Co, in the amount of \$575.00 total construction permit fee Less \$1.00 DCA fee. This Shall be refunded to the contractor, having offices at, 9 federal Road, Monroe, N.J. 08831

**WHEREAS**, the Township Construction Official recommends the refund of Permit fee, Permit #2019-4081, in the amount of \$575.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$575.00 on construction permit fees posted by W. Danley Electrical Co., offices 9 Federal Road, Monroe, N.J. 08831 refunded to the contractor in the amount of \$575.00

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$575.00 from the Refund of Revenue Fund to the Contractor W. Danley Electrical Co, 9 Federal Road, Monroe, N.J. 08831

**RESOLUTION R.122-022020**

**EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-31-03: 2015 Road Resurfacing Program – Various Streets – Phase III; authorizes a Corrective Change Order No. 1 for Final As-Built Quantities; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.**

**WHEREAS**, the Township of Edison advertised for a construction contract for the 2015 Road Resurfacing Program – Various Streets – Phase III, Township of Edison, Middlesex County, New Jersey under Public Bid No. 15-31-03; and

**WHEREAS**, Schifano Construction Corporation, One Smalley Avenue, Middlesex, New Jersey 08846 was awarded a construction contract through resolution R. 714-102015 in a contract amount not to exceed \$3,013,027.77 for the project; and

**WHEREAS**, upon tabulation and review of as-built construction quantities and necessary field changes during construction, it has been determined by the Township Engineer that there is a net reduction of \$884,079.35 in the final construction costs resulting in a revised and final total construction contract amount of \$2,128,948.42, as detailed in the attached Change Order No. 1; and

**WHEREAS**, the Township Engineer has reviewed the project and certifies the construction work has been completed, and therefore recommends project acceptance, release of the performance bond and that final payment, including retainage, be made to Schifano Construction Corporation, in an amount of \$44,965.88 for a total construction contract as-built cost of \$2,128,948.42.

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 15-31-03: 2015 Road Resurfacing Program – Various Streets – Phase III, is deemed accepted by the Township of Edison, and that the performance bond shall be released and that final payment, including retainage, shall be made to Schifano Construction Corporation in an amount of \$44,965.88 for a total construction contract as-built cost of \$2,128,948.42, and that the remaining contract balance of \$884,079.35 be deducted from the contract, be unencumbered after final payment is made, and said unexpended contract amount shall be restored to the appropriate Township account.

**RESOLUTION R.123-022020**

**RESOLUTION PROVIDING FOR TOWNSHIP ACCEPTANCE OF PUBLIC BID NO. 19-05-07 – EDISON SENIOR CENTER EMERGENCY GENERATOR AND AUTHORIZING FINAL PAYMENT, RELEASE OF RETAINAGE AND CLOSE OUT OF PROJECT**

**WHEREAS**, the Township of Edison advertised for Public Bid No. 19-05-07 – Edison Senior Center Emergency Generator; and

**WHEREAS**, INNOVATIVE ELECTRICAL CONTRACTING, INC., 230 Route 206, Suite 2C, Flanders, NJ 07836 was awarded a contract through resolution R. 328-062019 in a contract amount not to exceed \$68,887.86 for the project; and

**WHEREAS**, the Township Engineer has reviewed the project and certifies the work has been completed, and therefore recommends project acceptance, release of the performance bond and that final payment, including

retainage, be made to INNOVATIVE ELECTRICAL CONTRACTING, INC, in the amount of \$1,377.76 for a total contract cost of \$68,887.86.

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

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 19-05-07: Edison Senior Center Emergency Generator, is deemed accepted by the Township of Edison, and that the performance bond shall be released and that final payment, including retainage, shall be made to INNOVATIVE ELECTRICAL CONTRACTING, INC., 230 Route 206, Suite 2C, Flanders, NJ 07836 in the amount of \$1,377.76 for a total contract amount of \$68,887.86.

**RESOLUTION R.124-022020**

**RESOLUTION TO RELEASE STREET OPENING ESCROW**

**WHEREAS**, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

**WHEREAS**, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference numbers STO0000126, STO0000127, STO0000128, STO0000129, STO0000130, STO0000131 & STO0000132 , to the following:

**Permit Numbers: 0080, 0086, 0081, 0082, 0083, 0084 & 0085**

**Opening Locations: 13 Lahiere Ave, 14 Lahiere Ave, 20 Lahiere Ave, 22 Lahiere Ave, 24 Lahiere Ave, 32 Dalton Pl & 38 Dalton Pl**

**Applicant’s Name & Address:**

**BRENNAN ENVIRONMENT, INC.  
19 CHATHAM RD  
SUMMIT, NJ 07901**

**Initial Deposit Date: 07/16/2014**

**Total Deposit Amount: \$ 700.00 (\$ 100.00 per permit)**

**Paid by & refunded to:**

**BRENNAN ENVIRONMENT, INC.  
19 CHATHAM RD  
SUMMIT, NJ 07901**

**BE IT FURTHER RESOLVED** that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

**RESOLUTION R.125-022020**

**RESOLUTION TO RELEASE STREET OPENING ESCROW**

**WHEREAS**, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

**WHEREAS**, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000429, to the following:

**Permit Number: DEV-20-0182**

**Opening Location: 281 FLEET AVE**

**Block/Lot: 590.E/1**

**Applicant's Name & Address:**

**CURSI CONSTRUCTION INC  
3808 FLEET AVE  
SOUTH PLAINFIELD, NJ 07080**

**Initial Deposit Date: 02/03/2020**

**Deposit Amount: \$ 9,238.60**

**Paid by & refunded to:**

**CURSI CONSTRUCTION INC  
3808 FLEET AVE  
SOUTH PLAINFIELD, NJ 07080**

**BE IT FURTHER RESOLVED** that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

**RESOLUTION R.126-022020**

**RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO KIMCO USA INC.  
FOR ONE (1) PORTABLE SALT CONVEYOR AND HOPPER**

*WHEREAS*, bids were received by the Township of Edison on February 4, 2020 for Public Bid No. 20-01-13 Portable Salt Conveyor and Hopper; and

*WHEREAS*, KIMCO USA INC., 118 E. Trefz Drive, Marshall IL 62441, submitted the lowest legally responsible, responsive bid; and

*WHEREAS*, the maximum amount of the purchase shall not exceed \$105,223.76; and

*WHEREAS*, funds in the amount of \$105,223.76 have been certified to be available in the Acqui. of Public Works Equipment Account Number C-04-15-1914-310-000; and

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

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

1. All bids have been reviewed, and the bid submitted by KIMCO USA INC., 118 E. Trefz Drive, Marshall IL 62441, for one (1) portable salt conveyor and hopper 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 \$105,223.76 and any other necessary documents, with KIMCO USA INC., as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$105,223.76** are available for the above contract in Account No. **C-04-15-1914-310-000**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.130-022020**

**RESOLUTION AUTHORIZING CHANGE ORDER #1 (ADDITIONAL FUNDS) FOR THE FURNISHING  
OF TURNOUT GEAR UNDER THE UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE  
PREVENTION CONTRACT TO THE WITMER PUBLIC SAFETY GROUP IN AN AMOUNT NOT TO  
EXCEED \$40,000.00**

**WHEREAS**, WITMER PUBLIC SAFETY GROUP, 104 Independence Way, Coatesville, PA 19320, was awarded Contract No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention through resolution R.217-042019 for the period of June 13, 2019- June 12, 2020 in the amount of \$200,000.00; and

**WHEREAS**, the Fire Division needs to purchase additional Turnout Gear in the amount of \$82,650.00 which will deplete the remaining balance of the contract dollar amount of \$200,000.00; and

**WHEREAS**, the Township recommends we add additional funds in the amount not to exceed \$40,000.00 with all prices, terms and conditions to remain the same for the remainder of the contract term; and

**WHEREAS**, the total amount of these additional funds, not to exceed \$40,000.00, cannot be encumbered at this time; and

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

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

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

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison that Change Order #1 (additional funds) to the contract with WITMER PUBLIC SAFETY GROUP is hereby authorized in the amount not to exceed \$40,000.00 for a total amended contract amount of \$240,000.00.

**RESOLUTION R.131-022020**

**2020 Distracted Driving Statewide Crackdown  
Grant Application and Initiative**

**WHEREAS**, the Division of Police wishes to apply for grant funding in the amount of \$24, 750.00 to provide an additional 450 manpower hours to crack down on distracted drivers; and

**WHEREAS**, the number of people killed nationwide in distraction-affected crashes were 3,166 in 2017. More of which occurred in urban areas than rural; and

**WHEREAS**, an enforcement crackdown is planned to combat violations related to distracted driving; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

**WHEREAS**; the project will involve increased enforcement from April 1-August 31, 2020; and

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

**THEREFORE**, be it resolved that the Edison Township Council and the Division of Police declares our support for the grant application and participation in the 2020 Distracted Driving Statewide Crackdown Grant between April 1- August 31, 2020 and pledges to increase awareness of laws pertaining to distracted drivers.

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

**RESOLUTION R.132-022020**

**Explanation: This Resolution authorizes the settlement of litigation with Craig Aumack arising under the Open Public Records Act.**

**WHEREAS**, in November of 2019, Craig Aumack had filed certain litigation against the Township of Edison ("Township"), with respect to his request under the Open Public Records Act ("OPRA") for certain government records pertaining to the budget of the Township Fire Department, which litigation was captioned *Craig Aumack v. Township of Edison, et al.*, Docket No. MID-L-7330-19 (the "Litigation"); and

**WHEREAS**, following the filing of the Litigation, but before the Township answered the same, the parties were able to reach amicable resolution of the Litigation, including the production of the records sought by Mr. Aumack in the Litigation, and the payment of attorney's fees and costs in the amount of \$1,500.00; and

**WHEREAS**, the Township, in consideration of the forgoing and the attendant cost and expense of continuing the Litigation, is desirous of authorizing the settlement and compromise of the same, including the authorization of the payment of \$1,500.00 for attorney's fees and costs, all as aforesaid.

**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 settlement of the Litigation for the sum of \$1,500.00, be and hereby is, approved, and the appropriate Township personnel be and are hereby authorized and directed to process such payment to legal counsel for Mr. Aumack, the Law Offices of Walter M. Luers, LLC, in accordance with the invoice, W-9 and other information provided in connection with the resolution thereof.
3. This Resolution shall take effect immediately.

**RESOLUTION R.133-022020**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO GARDEN STATE VETERINARY SERVICES FOR VETERINARY SERVICES**

**WHEREAS**, the Township of Edison (the Township) has the need for veterinary services, and the Township is authorized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("Local Contracts Law") to contract for "professional services" as it may require; and

**WHEREAS**, GARDEN STATE VETERINARY SERVICES, 643 Route 27, Iselin, NJ 08830, has submitted a proposal to provide such services; and

**WHEREAS**, the Local Contracts Law, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "professional services" without public advertising for bids; and

**WHEREAS**, this Contract is not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.5, et seq.; and

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

**WHEREAS**; the total amount of this contract shall be in the amount not to exceed \$65,000.00; and

**WHEREAS**, prior to contract GARDEN STATE VETERINARY SERVICES will have 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 GARDEN STATE VETERINARY SERVICES from making any reportable contributions through the term of this one year contract; 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 Township is hereby authorized to execute a contract and any other necessary documents, with GARDEN STATE VETERINARY SERVICES, 643 Route 27, Iselin, NJ 08830, in an amount not to exceed \$65,000.00 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 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.

4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

**RESOLUTION R.134-022020**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO LANCHA CONSTRUCTION CORP., FOR NJDOT MUNICIPAL AID FY 2018: LINDQUIST PARK AREA ROAD IMPROVEMENTS**

*WHEREAS*, bids were received by the Township of Edison on February 7, 2020 for Public Bid No. 20-31-01 NJDOT Municipal Aid FY 2018: Lindquist Park Area Road Improvements; and

*WHEREAS*, LANCHA CONSTRUCTION CORP., 3090 Englishtown Rd, Jamesburg, NJ 08831, submitted the lowest legally responsible, responsive bid; and

*WHEREAS*, the maximum amount of the purchase shall not exceed \$1,441,280.24; and

*WHEREAS*, funds in the amount of \$625,000.00 have been certified to be available in the NJDOT Municipal Aid-Lindquist Park Paving Project, Account G-02-20-0165-813-000 and funds in the amount of \$816,280.24 have been certified to be available in the Paving & Reconstruct of Various Streets Account, No. C-04-18-2028-107-000.

*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. All bids have been reviewed, and the bid submitted by LANCHA CONSTRUCTION CORP., 3090 Englishtown Rd, Jamesburg, NJ 08831, for NJDOT Municipal Aid FY 2018: Lindquist Park Area Road Improvements 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 \$1,441,280.24 and any other necessary documents, with LANCHA CONSTRUCTION CORP., as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$625,000.00** are available for the above contract in Account No. **G-02-20-0165-813-000** and funds in the amount of **\$816,280.24** are available in Account No. **C-04-18-2028-107-000**.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.135-022020**

**EXPLANATION: Resolution Refunding Cash Performance to In Site Star Bucks 49 Application # Z53-2016 in Account # CP180713IN**

*WHEREAS*, the Township Engineer advises that an inspection has been made of Star Bucks ( In Site ) Application # **Z53-2016** - 49 Lincoln Highway Block: 673 Lot: 7 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 in the amount of **\$1,587.50** plus accrued interest, if applicable on deposit in account # **CP180713IN** with the Township of Edison, principal being In Site Star Bucks49., having offices at 1400 -16<sup>th</sup> Street, Suite300 , Oak Brook, IL 60523 and acceptance of the subject improvements; and

*BE IT FURTHER RESOLVED* that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of **\$1,587.50** plus accrued interest, if applicable, on deposit in account # **CP180713IN** to the applicant, In Site Star Bucks49., having offices at 1400 - 16<sup>th</sup> Street, Suite300 , Oak Brook, IL 60523

AYES - Councilmembers Brescher, Coyle, Diehl, Gomez, Joshi, Patil and Council President Ship-Freeman

NAYS - None

The following Resolutions will be voted upon separately:

**RESOLUTION R.127-022020**

**EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with necessary calibration and model updates to the Water System Hydraulic Model supporting the Water Utility.**

**WHEREAS**, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, (the “**LPCL**”) authorizes the award of contracts for “Professional Services” without competitive bids; and

**WHEREAS**, Mott MacDonald, 111 Wood Avenue, South Iselin, New Jersey 08830 (the “**Engineer**”) is skilled at and has been providing Engineering Services for Township’s Water and Sewer System and the acquisition of the Water Distribution System; and

**WHEREAS**, the Township desires to authorize the Engineer to provide engineering services in connection with necessary calibration and physical updates to the Water System Hydraulic Model (the “**Engineering Services**”); and

**WHEREAS**, the Township desires to authorize an agreement with the Engineer, in the amount of Sixty-Six Thousand One Hundred Thirty-Four Dollars (\$66,134.00), in furtherance of the Engineering Services and as set forth in the proposal attached hereto as Exhibit A.

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

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

Section 2. The Township desires to authorize the Engineering Services in the amount of \$66,134.00, consistent with the proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Engineer for its Engineering Services in the amount of \$66,134.00.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Mott.

Section 6. This Resolution shall take effect immediately.

**RESOLUTION R.128-022020**

**EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with the development of a SCADA System for the Water Utility.**

**WHEREAS**, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, (the “**LPCL**”) authorizes the award of contracts for “Professional Services” without competitive bids; and

**WHEREAS**, Mott MacDonald, 111 Wood Avenue, South Iselin, New Jersey 08830 (the “**Engineer**”) is skilled at and has been providing Engineering Services for Township’s Water and Sewer System and the acquisition of the Water Distribution System; and

**WHEREAS**, the Township desires to authorize the Engineer to provide engineering services in connection

with the development and installation of a Supervisory Control and Data Acquisition (“**SCADA**”) System to enable the control and monitoring of water purchased at the Suttons Lane Interconnection Chamber with Middlesex Water Company (the “**Engineering Services**”); and

**WHEREAS**, the Township desires to authorize an agreement with the Engineer, in the amount of Eighty-Seven Thousand and Eight Hundred Dollars (\$87,800.00), in furtherance of the Engineering Services and as set forth in the proposal attached hereto as Exhibit A.

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

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

Section 2. The Township desires to authorize the Engineering Services in the amount of \$87,800.00, consistent with the proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Engineer for its Engineering Services in the amount of \$87,800.00.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Mott.

Section 6. This Resolution shall take effect immediately.

**RESOLUTION R.129-022020**

**EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with technical updates required for the GIS database supporting the Water Utility.**

**WHEREAS**, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, (the “**LPCL**”) authorizes the award of contracts for “Professional Services” without competitive bids; and

**WHEREAS**, Mott MacDonald, 111 Wood Avenue, South Iselin, New Jersey 08830 (the “**Engineer**”) is skilled at and has been providing Engineering Services for Township’s Water and Sewer System and the acquisition of the Water Distribution System; and

**WHEREAS**, the Township desires to authorize the Engineer to provide engineering services in connection with necessary technical support for the development of a geographic information system (“**GIS**”) index of the Water Utility assets (the “**Engineering Services**”); and

**WHEREAS**, the Township desires to authorize an agreement with the Engineer, in an amount not to exceed Fifty-Thousand Dollars (\$50,000.00), in furtherance of the Engineering Services and as set forth in the proposal attached hereto as Exhibit A.

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

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

Section 2. The Township desires to authorize the Engineering Services in an amount not to exceed \$50,000.00, consistent with the proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Engineer for its Engineering Services in the amount of \$50,000.00.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Mott.

Section 6. This Resolution shall take effect immediately.

A motion was made by Councilmember Diehl seconded by Councilmember Patil to Table this Resolution until next meeting which is March 11, 2020.

AYES - Councilmembers Brescher, Coyle, Diehl, Gomez, Joshi, Patil and Council President Ship-Freeman

NAYS - None

### **ORAL PETITIONS AND REMARKS**

Council President Ship-Freeman opened the meeting for public comment.

David Ye, 5 Deri Ct., he wanted to explain why he left the meeting is because the board wanted to discuss items that were not on the agenda. He has been a volunteer for the last three years on the Library Board. He asked Councilmember Joshi what is the real reason. In 2018 Councilmember Joshi did you call about your friend applying for a Job at the Library and in 2019 pressuring the board to switch their bank.

Councilmember Joshi wanted to expand the Libraries, all his life to turn them into big learning centers. He also wanted to bring decorum to the Board. There is a five million dollar budget and they haven't done any capital improvements. Yes, I wanted to switch banks for a higher interest rate. Board of Education Member Shannon Peng actually thanked me in an email good job Councilmember Joshi you wanted to get us a higher interest rate. Everyone here knows what my goal is I have been very vocal from day one, all I want is decorum people to be respect full of each other, people to understand each other. This is the first time I heard Mr. Ye explain why he left the meeting, I had no idea. My reason I cannot work with someone if they don't talk to me. When someone just leaves a meeting I just can't work like that.

Councilmember Brescher, asked Council President Ship-Freeman to say something he has the right to speak. I caught up on the Library, Sam did not answer the first question, he has a letter right here that you interjected and audio recording that council people were interjecting in Library hiring. It seems to him, everyone targeted is Chinese. These two councilmembers should explain to the public why they are hiring and firing.

Councilmember Joshi, said your facts are wrong.

Mr. Northgrave bring to your attend the rules of debate and decorum that were adopted by this council no member of the council shall questions to vote

Council President Ship- Freeman, excuse me there are a lot of people trying to grand stand and move their self along and I don't believe this is the place to put on a show. We should stick to the issues and stop with the gossip and hear say.

Anthony DeAmorin, 15 Rodak Circle, commented there are three Board of Education Members here, when there is a Board of Education Meeting. He feels it was disrespectful that Mr. Ye walked out of a Library Board Meeting. That is just right out wrong.

Bruce Diamond, 74 Calvert Avenue, asked where do we stand with the Deer?

Councilmember Diehl, we are waiting for information on harvesting and the grants.

Mr. Diamond asked if we will be following Metuchen on their 25 mph. It seems to me all of you Councilmembers that wanted the water are now not wanting to spend the money to fix it.

Tony DePasquale, 2 Pine Street, commented Carl Zimmerman does a great job. Regarding the Library he attended both meeting, when do you take full responsibility for your actions.

Maria Orchid, 83 Jefferson Avenue, asked if there are any updates on the Farmer Market or Facebook live?

Ms. Ruane will let Mr. Elliot know, he is not here tonight.

Councilmember Brescher we are going to try to allocate money for Facebook.

Richard Sweeny, Suttons Lane, the political arena is ridiculous, if you walk off a job, you would be done.

Ms. Xia, 10 Lucille Court, expressed Chinese American's are humble and easy going people. Mr. David Ye is a passion person, just because he disagreed with the other board members that is no reason to remove him. He is responsible to everyone.

Bei Xie, 9 Walker, he asked what was the performance issue? What is the HR process?

Councilmember Joshi, removal for cause, abandonment walked out of meeting.

Council President Ship-Freeman, we cannot talk about personnel issues.

Resident, 10 Bennington Drive, she watched video of the Library Meeting and noted in December they did not follow Robert Rule of Order. Why was she fired and why is David Ye asked to resign.

Mr. Northgrave, no one can comment on this, you are welcome on your opinion but we are not discussing this matter here.

Councilmember Coyle, what is the procedure?

Councilmember Brescher, Roberts rules to speak should be followed.

Mr. Northgrave explained at will employees and union employee policy.

Councilmember Patil, the Library is a different entity, Council is a non -voting member. He asked if this Council has any jurisdiction about the Library Board. The only role is appointing members to the board.

Jerry Shi, 9 Finch Court, he pointed out the Library agenda, there was nothing on the agenda after closed session.

Ms. Chen, 39 Remington Drive, she is a school board member and understand according to NJ Law they don't have the ability to remove trustee.

Resident of 9 Gloria Avenue, we are a multi- cultural community. She feels this is racist against David Ye.

Councilmember Patil, please be humble no more racial comments.

Shannon Peng, explained that David walked out of meeting two times due to illegal actions going on at the Library Board Meeting. She expressed her opinion that Jane was fired because she wouldn't hire a friend of Councilmember Joshi and David is being asked to resign because he voted no on an attorney. She said someone called the Superintendent to remove her from the Library Board. She cannot be bought or threatened.

Mr. DePasquale commented abandonment is wrong under any circumstances.

Resident of West Windsor is here to speak on behalf of David Ye. He can testify to his character. He asked Mr. Joshi to be honest and transparent. He sincerely hopes you can work this out together.

Mr. Shi, he recited the record of attendance Councilmember Joshi missed forty percent of the meetings.

Ms. Peng asked Councilmember Joshi what is his relationship with the bank?

Councilmember Joshi, he called every bank in the area.

Mr. Northgrave, you cannot badger a Councilmember, he choosing not to answer.

David Ye, he explained why he left the meeting.

Hearing no further comments from the public Councilmember Gomez 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 Patil the meeting was adjourned at 9:11p.m.

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Joyce Ship-Freeman  
Council President

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Cheryl Russomanno, RMC  
Municipal Clerk