

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
MARCH 13, 2019**

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 6:08 p.m. by Council President Gomez followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi, Patil, and Sendelsky.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney London, Business Administrator Ruane, Health Director Elliott, Township Engineer O’Krepky, Police Captain Formica, 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 1, 2018 and posted in the Main Lobby of the Municipal Complex on the same date.

4. REVIEW OF MINUTES:

- a. No comments were made

5. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Diehl reported Committee of the Whole subcommittee met to organize.

6. POINTS OF LIGHT:

Council President Gomez made announcement as follows: March 23, 2019 – Saturday, Environmental Fun Fare at the North Edison Library from 10:30 – 12:30pm – a program of educational and fun activities focused on our environment and how we can help preserve it. 4th Annual Clara Barton Neighborhood Yard Sal on Saturday, May 4th 9:00am 3:00pm for information go online to www.ClaraBartonNeighborhood.org The Public Hearing on March 28th, Water & Sewer at 6:00pm has been moved to be held at Middlesex County College Performing Art Center located at 2600 Woodbridge Avenue.

Councilmember Coyle added on March 25th the Edison Chamber of Commerce will be having their Taste of Middlesex at 5:30pm, Pines Manor.

7. FROM THE BUSINESS ADMINISTRATOR:

- a. No comments were made

8. FROM THE DEPARTMENT OF FINANCE:

- a. through d. No comments were made

9. FROM THE DEPARTMENT OF LAW:

- a. and b. No comments were made.

c. Pulled off Agenda O.2040-2019 .

10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

- a. No comments were made

11. FROM THE PUBLIC WORKS:

- a. and b. No comments were made.

12. FROM THE CHIEF OF FIRE:

- a. and b. No comments were made.

13. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

None

14. COMMUNICATIONS:

- a. Letter received from the Edison Township Open Space Advisory Committee regarding Resolution R.106-022019. (Added to Agenda at meeting)

15. **DISCUSSION ITEMS:**

Council President Gomez:

- a. None

Councilmember Coyle:

- a. He asked to meet with Ms. Ruane before next council meeting at 4pm regarding planting for this years' Beautification Program.

Councilmember Diehl:

- a. Update on Deer

Mr. Elliot reported the Company will be doing one more ride on April 8th and doing the presentation to us at the May 6th Meeting.

- b. Hazardous Waste Drop off will be Sunday, March 17th from 8:00am to 2:00 pm at Middlesex County College.

Councilmember Joshi:

- a. none

Councilmember Lombardi:

- a. Land owner is interested in selling his property to preserving for Open Space. He spoke to Freehold Tomaro for the county to send a letter. The property is off of Woodland Avenue.

Councilmember Patil:

- a. None

Councilmember Sendelsky:

- a. Asked for update on Brookhill Road.

Mr. Elliot gave an update on the open court case.

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl seconded by Councilmember Sendelsky and duly carried, the Minutes of the Worksession Meeting of February 25, 2019 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council President Gomez, just another reminder on Thursday, March 28th at 6:00pm at Middlesex County College Performing Art Center 2600 Woodbridge Avenue. He asked the Administration to put on the website.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Gomez opened the meeting to the public for comments on Proposed Resolutions R.129-032019 through R.143-032019.

NONE

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

The following Resolutions R.129-032019 through R.143-032019 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Patil.

RESOLUTION R.129-032019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 7, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 7, 2019.

FUND	AMOUNT
Current	\$14,990,591.59
Affordable Housing	0.00
Capital	481,529.27
Cash Performance	326,475.54
CDBG	6,920.62
Developers Escrow	31,048.92
Dog (Animal Control)	5,223.81
Federal Forfeited	0.00
Grant Funds	896.16
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	593,745.43
Sanitation Fund	378,971.20
Self Insurance	0.00
Sewer Utility	3,189,543.37
Tax Sale Redemption	281,360.37
Tree Fund	0.00
Tree Planting	0.00
Trust	194,911.98
Edison Landfill Closure Trust	0.00
TOTAL	\$20,481,218.26

/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.130-032019

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 **\$309,244.97**.

RESOLUTION R.131-032019

Authorizing refund for tax overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that 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 the said overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided the attached listing; and

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 **\$24,251.34**.

RESOLUTION R.132-032019

TEMPORARY BUDGET 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, 2019 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2019 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>SANITATION FUND</u>	<u>AMOUNT</u>
SANITATION Disposal Fees	500,000.00
TOTAL SANITATION FUND	<u>500,000.00</u>

RESOLUTION R.133-032019

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO MALL CHEVROLET FOR THE PURCHASE OF FOUR (4) 2019 CHEVROLET EXPRESS 2500 PASSENGER VANS FOR THE DIVISION OF FIRE

WHEREAS, there is a need to purchase four (4) Chevrolet Express 2500 12 Passenger Vans for the Division of Fire; and

WHEREAS, MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, NJ 08002 has been awarded State Contract Number 88229 under T-2006 - Vehicles, Passenger Vans, 8/12/15 Passenger; 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 maximum amount of the purchase shall not exceed \$101,604.80 (\$25,401.20 per vehicle); and

WHEREAS, funds in the amount of \$101,604.80 have been certified to be available in the Tactical Cargo Vans for Volunteer Fire Account, Number C-04-18-2028-106-000; 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 Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$101,604.80 and any other necessary documents, with MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, NJ 08002, 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. 88229 under T-2006.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$101,604.80** are available in account **C-04-18-2028-106-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.134-032019

RESOLUTION AWARDING A CONTRACT/PURCHASE ORDER TO CAMPBELL SUPPLY CO., LLC FOR REPAIRS TO TRUCK #2 FOR THE DIVISION OF FIRE

WHEREAS, Fire Truck #2 needed repairs to the fuel tank and outrigger controls; and

WHEREAS, the current contractual vendor, Absolute Fire, who was awarded Public Bid No. 17-10-02RRR-Emergency Vehicle Repairs, could not provide the needed vehicle repair; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, a quote was solicited from CAMPBELL SUPPLY CO., LLC, by the Division of Fire for the emergency vehicle repairs to Truck #2; and

WHEREAS, CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831, submitted a quote in the amount not to exceed \$5,859.00; and

WHEREAS, for the prior twelve months, the Township expended \$27,148.43 with CAMPBELL SUPPLY CO., LLC. and this repair in the amount of \$5,859.00 will make a combined total amount of \$33,007.43 in a twelve month period; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, CAMPBELL SUPPLY CO., LLC., 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 CAMPBELL SUPPLY CO., LLC. from making any reportable contributions through the term of the contract; 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, funds in the amount of \$5,859.00 have been certified to be available in the Fire Fighting Maintenance of Motor Vehicle, Account Number 9-01-25-0265-001-025; 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 quote submitted by CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831 for the emergency vehicle repairs to Truck #2 for the Division of Fire, is determined to be in the best interest of the Township.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,859.00, and any other necessary documents, with CAMPBELL SUPPLY CO., LLC as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,859.00** are available for the above in Account No. **9-01-25-0265-001-025**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.135-032019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CAMPBELL FOUNDRY CO. MATERIALS FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on August, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, Resolutions R.538-092018 through R.533-092018 awarded various items of the bid but there were several items for which no bids were received; and

WHEREAS, the Township rebid those items where no bids were received under Public Bid 18-03-08R and bids were received on January 30, 2019; and

WHEREAS, CAMPBELL FOUNDRY, CO., 800 Bergen St., Harrison, NJ 07029, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$35,000.00, and 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:

3. All bids have been reviewed, and the bid by CAMPBELL FOUNDRY, CO., 800 Bergen St., Harrison, NJ 07029 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
4. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$35,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CAMPBELL FOUNDRY, CO. as described herein.

RESOLUTION R.136-032019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CHEMUNG SUPPLY CORP.
FOR THE FURNISHING OF MATERIALS**

WHEREAS, bids were received by the Township of Edison on January 30, 2019 for Public Bid No. 18-03-08R-Materials; and

WHEREAS, Resolutions R.538-092018 through R.533-092018 awarded various items of the bid but there were several items for which no bids were received; and

WHEREAS, the Township rebid those items where no bids were received under Public Bid 18-03-08R and bids were received on January 30, 2019; and

WHEREAS, CHEMUNG SUPPLY CORP., PO BOX 527, ELMIRA, NY 14902, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$6,000.00, and 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 CHEMUNG SUPPLY CORP., PO BOX 527, ELMIRA, NY 14902 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$6,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CHEMUNG SUPPLY CORP. as described herein.

RESOLUTION R.137-032019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FERGUSON ENTERPRISES, INC. FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on January 30, 2019 for Public Bid No. 18-03-08R-Materials; and

WHEREAS, Resolutions R.538-092018 through R.533-092018 awarded various items of the bid but there were several items for which no bids were received; and

WHEREAS, the Township rebid those items where no bids were received under Public Bid 18-03-08R and bids were received on January 30, 2019; and

WHEREAS, FERGUSON ENTERPRISES, INC., 190 North Oberlin Ave., Lakewood, NJ 08701, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$5,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid by FERGUSON ENTERPRISES, INC., 190 North Oberlin Ave., Lakewood, NJ 08701 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$5,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with FERGUSON ENTERPRISES, INC as described herein.

RESOLUTION R.138-032019

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 STO0000302, to the following:

Permit Number: DEV-0026

Opening Location: 29 Marshall Dr

Block/Lot: 59.0 / 17

Applicant's Name & Address:

**AMERICAN RESIDENTIAL SERVICES, LLC
A.J.PERRI
1162 PINE BROOK RD
TINTON FALLS, NJ -07724**

Initial Deposit Date: 07/30/2018

Deposit Amount: \$1200.00

Paid by & refunded to:

**AMERICAN RESIDENTIAL SERVICES, LLC
A.J.PERRI # 8802
1162 PINE BROOK RD
TINTON FALLS, NJ -07724**

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.139-032019

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee, posted for a residential construction permit. The work was never performed.

WHEREAS, on March 23, 2018 , a Construction Permit fee, check #25070, permit #2018-1187, was posted in the total amount of \$469.00 by the contractor, Momentum Solar, having offices at 325 High Street, Metuchen, NJ 08837 ; and

WHEREAS, the application was submitted for a Solar Installation at 44 Bradley Drive, by the hired contractor, Momentum Solar;

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$360.00, derived from the \$469.00 total construction permit fee less the \$19.00 DCA fee, and less the 20% plan review fee of \$90.00 be refunded to the contractor Momentum Solar.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-1187, in the amount of \$360.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$360.00 on construction permit fees posted by Momentum Solar for 44 Bradley Dr. 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 \$360.00 from the Refund of Revenue Fund to the Contractor, Momentum Solar, 325 High Street, Metuchen, NJ 08837.

RESOLUTION R.140-032019

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee, posted for a residential construction permit. The fee was calculated incorrectly.

WHEREAS, on January 29, 2019, a Construction Permit fee, check #203, permit #2019-0376, was posted in the total amount of \$2259.00 by the contractor, Jayadit Builders LLC., having offices at 47 Rosewood Road, Edison, NJ 08817; and

WHEREAS, the application was submitted for an interior renovation at 17 Ash Road, by the hired contractor; Jayadit Builders LLC;

WHEREAS, appropriate documents have been submitted to the Township indicating that the fee was misread therefore appropriate that the municipal permit fee in the amount of \$1,000.00 be refunded to the contractor Jayadit Builders LLC.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2019-0376, in the amount of \$1,000.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$1,000.00 on construction permit fees posted by Jayadit Builders LLC. for 17 Ash Rd. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$1,000.00 from the Refund of Revenue Fund to the Contractor, Jayadit Builders LLC., having offices at 47 Rosewood Road, Edison, NJ 08817.

RESOLUTION R.141-032019

EXPLANATION: A Resolution authorizing the execution of a Memorandum of Agreement between the Township and the International Association of Fire Fighters Local No. 2883, effective for the period commencing January 1, 2018 and ending December 31, 2022.

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

WHEREAS, the Township and the International Association of Fire Fighters Local No. 2883 (the “**Association**,” and collectively with the Township, the “**Parties**”) have negotiated a Memorandum of Agreement (“**MOA**”) with respect to the terms of a successor collective bargaining agreement between the Township and the Association; and

WHEREAS, the MOA sets forth key terms between the Parties regarding wages, medical benefits, leave without pay, salary guide and educational benefits; and

WHEREAS, the Parties desire to execute the MOA and implement its terms as set forth therein, pending finalization of the successor collective bargaining agreement; and

WHEREAS, the MOA is subject to ratification by the Parties and the Township desires to provide such ratification, and authorize execution of the MOA and implementation of its terms, pending finalization of the successor collective bargaining agreement

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 Municipal Council hereby authorizes the Mayor to execute the Memorandum of Agreement, in a form similar to that attached hereto as Exhibit A, and to implement its terms as set forth therein, pending finalization of the successor collective bargaining agreement between the Parties.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
5. This Resolution shall take effect as provided by law.

RESOLUTION R.142-032019

EXPLANATION: A Resolution authorizing the entering of a Shared Elevator Safety Subcode Service Agreement with the Township of Woodbridge, for the sharing of inspection and permitting service related to elevator safety for the residents of both Townships.

WHEREAS, the Township of Edison (the “**Township**”) is a municipal corporation of the State of New Jersey authorized under the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (“**Shared Services Act**”) to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, in the spirit of mutual cooperation, the Township has the capacity to and seeks to share elevator safety subcode services with the Township of Woodbridge, (“**Woodbridge**” and collectively, with the Township, the “**Parties**”), as it has been determined that such services can be more efficiently provided for both Township and Woodbridge residents; and

WHEREAS, in furtherance of this objective, the Parties desire to enter a Shared Services Agreement (“**Agreement**,” in the form substantially similar to that attached hereto as Exhibit A) pursuant to the Shared Services Act to establish the terms of the shared sewer lines; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) seeks to hereby authorize the Township’s entering and execution of the Agreement.

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

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

Section 2. The form of the Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor to execute the Agreement on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

Section 3. The Township shall share elevator safety subcode services with Woodbridge, pursuant to the terms set forth in the Agreement.

Section 4. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act, as well as the Business Administrator for the Board.

Section 5. This Resolution shall take effect immediately.

RESOLUTION R.143-032019

RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO DITTO COPY SYSTEMS FOR MAINTENANCE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on January 8, 2019 for Public Bid No. 19-02-10-Maintenance and Repair of Office Equipment for the Township of Edison; and

WHEREAS, DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$50,000.00, and 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 DITTO COPY SYSTEMS, 209 E. Elizabeth Avenue, Linden, NJ 07036 for Maintenance and Repair of Office Equipment for the Township of Edison is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$50,000.00 for the first year and any succeeding renewal year, subject to and contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with DITTO COPY SYSTEMS as described herein.

AYES - Councilmembers Coyle, Diehl, Joshi, Lombardi, Patil, Sendelsky and Council President Gomez

NAYS - None

COMMUNICATIONS

- a. Letter received by mail from the Edison Open Space Advisory Committee regarding Resolution R.106-022019.

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

ORAL PETITIONS AND REMARKS

Council President Gomez opened the meeting for public comment.

Maria Orchid, 83 Jefferson Avenue, on the Officials List there are no updates on committees. How long is Middlesex Water Company Contract? She likes the way Edison TV puts the split screen which shows you the agenda and the meeting at the same time.

Council President Gomez will address the committee appointments by the next meeting.

Ms. Ruane said she will find out when contract is to be completed.

Kishan Agarawal, 450 Plainfield Road, came here tonight to see if the council can help with the situation he has regarding the new construction at 10 Bradford Road grading. He has water on his property 4-6 inches of water and his sump pump keeps running. He has lived here for 35 years and never had a problem. He brought this situation to the attention of the Engineering Department as well as a letter he sent to the Mayor about two months ago.

Council President Gomez asked if he had a name of a person he spoke to.

Mr. Agarawal, no he only went to Engineering Department.

Council President Gomez, please give your contact information to the Engineer here tonight. He will do an assessment and a corrective action plan.

Councilmember Diehl, do we or do we not have an ordinance regarding grading, you cannot change the grading which could affect your neighbors. That should all be checked prior to final approvals.

Bruce Diamond, 74 Calvert Avenue, asked when do you expect the first Committee of the Whole will meet. He asked if at the Public Hearing on Suez Water will there be an alternative presentation also. The common problem with new construction the basements are much higher than surrounding properties.

Councilmember Diehl, Sub Committee will be meeting next week. What I learned from the last time we need be organized have everything in order. We don't want to hurry we have waited two years need to be diligent and thorough.

Council President Gomez, those option will be discussed at that the Public Meeting on March 28th.

Walt Shneer, 108 Park Way, sign at Proctor and Park Way is bent down someone must have hit it. Last meeting we passed a Resolution for \$37,000.00 for that park. Will there be money to put a fence behind the White Church for the park, there needs to be some type of barrier.

Councilmember Lombardi said he will take your concerns to the Beautiful Edison they received donation for improvements. He thinks the plans should come out over next couple of weeks.

Thomas Gochel, 77 Safran Avenue, he reported a person operating a business in a residential area along with two of his neighbors. He is here to thank the Zoning officer, Ms. Ruane and Councilmember Sendelsky who helped him the most.

Council President Gomez, if any resident has any issue they can always reach out to any Councilmember or the Administration.

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

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember Lombardi the meeting was adjourned at 6:37p.m.

Alvaro Gomez
Council President

Cheryl Russomanno, RMC
Municipal Clerk