

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
June 12, 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 6:07 p.m. by Council President Gomez followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Joshi, and Sendelsky.

Councilmember Lombardi entered meeting at 6:18pm

Councilmembers Coyle and Patil were absent.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Inspector Spearnock, Acting Recreation Director Fircha, Township Engineer O’Krepky, 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 and b. No comments were made.

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

a. No comments were made

b. Councilmember Joshi

6. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Diehl, the Committee of the Whole meeting is rescheduled for Monday, July 8th .

7. POINTS OF LIGHT

Council President Gomez, thank everyone who participated in the primary election. Congratulation to all that were victorious and moving onto the General Election best of luck everyone.

Councilmember Sendelsky wants to Congratulate Officers Lisa & Mike Cimmino while off duty they helped apprehend a porch pirate.

8. FROM THE BUSINESS ADMINISTRATOR:

a. through d. No comments were made.

9. FROM THE DEPARTMENT OF FINANCE:

a. through k. No comments were made.

10. FROM THE DEPARTMENT OF HEALTH:

a. and b. No comments were made.

11. FROM THE DEPARTMENT OF LAW:

a. through c. No comments were made.

12. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through d. No comments were made.

13. FROM THE PUBLIC WORKS:

a. through d. No comments were made.

14. FROM THE CHIEF OF FIRE:

a. and b. No comments were made.

15. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Sendelsky, there was no meeting next meeting is scheduled for June 17th.

16. FROM THE TOWNSHIP CLERK:

a. No comments were made.

17. DISCUSSION ITEMS:

Council President Gomez:

- a. None

Councilmember Coyle:

- a. Absent

Councilmember Diehl:

- a. None

Councilmember Joshi:

- a. A few weeks ago he asked administration for the work that Jaffe Communications has provided to the Township. He received a 28 page report. His issue with this firm that it has caused more problems and animosity within Town Hall at the taxpayer expense. He also said it came to his attention that the DPW Director had written words about Master Sargent Tingle on Facebook. He read a section of the Employee Handbook regarding social media policy and feel DPW Director should resign.

Councilmember Lombardi:

- a. None

Councilmember Patil:

- a. Absent

Councilmember Sendelsky:

- a. None

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl seconded by Councilmember Sendelsky and duly carried, the Minutes of the Regular Meeting of May 8, 2019 and Special Meeting of May 14, 2019 were accepted as submitted.

APPROVAL OF VOLUNTEER FIREFIGHTER:

Application for membership was received by:

Raritan Engine Company #1
Kevin M. Campbell

Edison Volunteer Fire Company #1
Stephen Tsang

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

COUNCIL PRESIDENT'S REMARKS:

Council President Gomez had no additional remarks all said in Points of Light.

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

June 7, 2019

Edison Township Council
100 Municipal Blvd
Edison, New Jersey 08817

Dear Honorable Council Members:

I am writing to advise you that I have re-appointment Andrew L. Toth as Emergency Management Coordinator for the Township of Edison, pursuant to the New Jersey Civilian Defense Act and Disaster Control Act, NJSA App. A:9-40.3 et seq., Directive No. 102 of the State Director of the Office of Emergency Management and Township Code Section 2-6.

Again, Mr. Toth's appointment is for a period of three years and will expire July 15, 2021.

Very truly yours,

/s/ Thomas Lankey
Mayor

cc: Andrew L. Toth, Coordinator
Harish Verma Deputy OEM Coordinator
Director, New Jersey State Office of Emergency Management
Thomas Bryan, Chief of Police
Brian Latham, Chief of Fire
All Edison Township Directors
Cheryl Russomanno, Township Clerk

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

June 7, 2019

Edison Township Council
100 Municipal Blvd
Edison, New Jersey 08817

Dear Honorable Council Members:

I am writing to advise you that Edison Township Emergency Coordinator Captain Andrew L. Toth has appointed Harish Verma as Deputy Emergency Management Coordinator for the Township of Edison with my approval, pursuant to the New Jersey Civilian Defense Act and Disaster Control Act, NJSA App. A:9-40.3 et seq., Directive No. 102 of the State Director of the Office of Emergency Management and Township Code Section 2-6.

Mr. Verma's appointment is for a period of three years and will expire July 15, 2021.

Very truly yours,

/s/ Thomas Lankey
Mayor

cc: Captain Andrew L. Toth
Harish Verma
Middlesex County Office of Emergency Management
Thomas Bryan, Chief of Police
Brian Latham, Chief of Fire
Cheryl Russomanno, Township Clerk

Councilmember Joshi wanted to comment he will not be supporting this appointment tonight and wants to explain why. He happens to like this candidate he is doing a great job in the Zoning Department. He feels he doesn't have the qualifications to be Deputy Emergency Management Coordinator and we would be setting him up to fail. It sends a message to the rest of town hall that irrespective of how hard or how much you may be qualified you may not get it there is someone else in line, that's the problem he has, so he cannot vote for this is good conscience.

Council President Gomez asked Ms. Ruane in reference to Councilmember Joshi comments since this is a Mayor's appointment if she had anything to add.

Ms. Ruane, the Mayor made this appointment believing it is good to have a civilian with the background similar to this candidate, and that Mr. Verma has the technical and engineering experience to bring to the OEM office.

The above appointment was received on a motion made by Councilmember Lombardi seconded by Council President Gomez.

AYES: Councilmembers Lombardi and Council President Gomez

ABSENT: Councilmember Coyle and Patil

NAYS: Councilmembers Diehl, Joshi and Sendelsky

Motion Failed.

**NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, JUNE 26, 2019.**

O.2044-2019 ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO REVISE AND UPDATE THE 2019 PER GALLON WATER RATES THE TOWNSHIP CHARGES RESIDENTIAL AND NON-RESIDENTIAL USERS FOR THE DISCHARGE OF NORMAL DOMESTIC SEWAGE AND THE RATES CHARGED SIGNIFICANT INDUSTRIAL USERS OF THE TOWNSHIP’S SEWER SYSTEM.

On a motion made by Councilmember Lombardi seconded by Councilmember Sendelsky this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on June 26, 2019.

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

ABSENT: Councilmembers Coyle and Patil.

NAYS – None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Gomez opened the meeting to the public for comments on Proposed Resolutions R.263-062019 through R.303-062019.

None

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

The following Resolutions R.263-062019 through R.303-062019 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.263-062019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 6, 019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through June 6, 2019.

FUND	AMOUNT
Current	\$45,689,506.45
Affordable Housing	10,196.38
Capital	57,867.89
Cash Performance	20,762.81
CDBG	0.00
Developers Escrow	74,147.96
Dog (Animal Control)	11,787.63
Federal Forfeited	0.00
Grant Funds	2,360.19
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	990,834.41
Sanitation Fund	166,041.83
Self Insurance	0.00
Sewer Utility	2,514,457.52
Tax Sale Redemption	238,721.49
Tree Fund	0.00
Tree Planting	0.00
Trust	156,179.37
Edison Landfill Closure Trust	0.00

TOTAL \$49,932,863.93

/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.264-062019

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 **\$326,296.12**.

RESOLUTION R.265-062019

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 **\$7,505.87**.

RESOLUTION R.266-062019

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	MAXIS8 LLC
PROPERTY LOCATION	1677 LINCOLN HWY RT 27
BLOCK / LOT / QUALIFIER	91 / 14

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

DOCKET NUMBER	TAX YEAR	ASSESSMENT
010834-2018	2018	\$410,000
010834-2018 Freeze Act	2019	\$410,000

WHEREAS, the reduction in assessed value caused a real estate tax overpayment in the amounts and for the years indicated as follow, totaling **\$1,790.39**:

TAX YEAR	TAX AMOUNT
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2018	\$1,790.39
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WHEREAS, the reduction in assessed value may also cause a real estate tax overpayment for the current tax year **2019** for which the tax rate has not been set and Final Tax Bill has not been issued.

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

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

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments ordered by the tax court as indicated above.
- 3) Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts noted above totaling **\$1,790.39**.
- 4) Appropriate official of the Township of Edison, shall and is hereby authorized to draw additional check to the property owner or legal representative in the amounts calculated by the Tax Collector after the setting of the tax rate, if at such time the account reflects a further overpayment.

RESOLUTION R.267-062019

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

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council’s resolution **R.538-082015**:

TAXPAYER	DILEO, V P&DM INVEST OF WHITMAN AVE
PROPERTY LOCATION	190 WHITMAN AVE
BLOCK / LOT / QUALIFIER	197 / 3.C
DOCKET NUMBER:	004780-2015
TAX YEAR	2015

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): **2017**.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$29,686.27** and

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$29,686.27**.

RESOLUTION R.268-062019

**AUTHORIZING THE EDISON TOWNSHIP TAX COLLECTOR TO PREPARE AND MAIL
ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72**

WHEREAS, due to an anticipated late adoption of the Township of Edison Budget, the Middlesex County Board of Taxation is unable to certify the tax rate and the Township of Edison Tax Collector may be unable to mail the Township’s **2019** tax bills on a timely basis, and

WHEREAS, the Township of Edison’s Tax Collector, in consultation with the Township of Edison Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they both signed a certification reflecting the various tax levies for the prior year and the range of permitted 2019 estimated tax levies as:

[\$357,745,304.35 - \$395,402,704.81]

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

1. The Township of Edison Tax Collector is hereby authorized to prepare and issue estimated tax bills for the Township for the third installment of **2019** taxes. The Tax Collector may proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for **2019** is hereby set at **\$386,562,955.27**.

3. In accordance with law, the third installment of **2019** taxes shall not be subject to interest until the later of August 10th, or the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

RESOLUTION R.269-062019

TEMPORARY BUDGET APPROPRIATIONS

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>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	76,194.47
BUSINESS ADMINSTRATOR Other Expenses	14,357.50
PURCHASING Salary	24,090.75
PURCHASING Other Expenses	15,365.50
PURCHASING CENTRAL STORE Other Expenses	10,390.67
COMMUNICATIONS/EDISON TV Salary	16,226.28
COMMUNICATIONS/EDISON TV Other Expenses	9,233.33
PERSONNEL/HR Salary	21,200.76
PERSONNEL/HR Other Expenses	14,108.33
MAYOR Salary	5,353.86
MAYOR Other Expenses	400.00
COUNCIL Salary	9,507.72
COUNCIL Other Expenses	1,230.00
MUNICIPAL CLERK Salary	23,282.32
MUNICIPAL CLERK Other Expenses	21,350.00
ETHICS COMMISSION Other Expenses	1,666.67
FINANCE DEPARTMENT Salary	1,300.00
FINANCE DEPARTMENT Other Expenses	20,875.00
DISBURSEMENTS Salary	28,658.65
DISBURSEMENTS Other Expenses	800.67
PAYROLL Salary	9,555.53
PAYROLL Other Expenses	362.00
AUDIT SERVICES	12,014.67

DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	28,054.20
TAX COLLECTION Other Expenses	5,028.33
TAX ASSESSMENT Salary	36,574.43
TAX ASSESSMENT Other Expenses	27,833.33
LEGAL DEPARTMENT Salary	8,946.14
LEGAL DEPARTMENT Other Expenses	123,333.33
ENGINEERING SERVICES Salary	14,489.09
ENGINEERING SERVICES Other Expenses	47,780.17
PLANNING BOARD Other Expenses	3,866.67
ENVIRONMENTAL COMM Other Expenses	216.67
ZONING BOARD Other Expenses	6,066.67
PLANNING & ZONING DEPT Salary	31,358.58
PLANNING & ZONING Other Expenses	17,000.00
CONSTRUCTION ENFORC AGENCY Salary	137,499.40
CONST ENF AGENCY Other Expenses	55,550.00
RENT CONTROL BOARD Salary	2,303.57
RENT CONTROL BOARD Other Expenses	233.33
GROUP HEALTH INSURANCE	3,868,562.16
EMPLOYEE SALARY AND WAGES(WAIVERS)	109,607.00
UNEMPLOYMENT INSURANCE EXPENSE	33,333.33
INSURANCE & SURETY Expense	900,000.00
LOSAP-Other Expenses	16,666.67
POLICE DEPARTMENT Salary	2,951,237.68
POLICE DEPARTMENT Other Expenses	153,908.33
DISPATCH 911 Salary	207,681.98
DISPATCH 911 Other Expenses	82,916.67
OFFICE OF EMRGNCY MGMT Other Expenses	2,500.00
AID TO VOL FIRE	18,333.33
AID TO VOL FIRST AID	17,500.00
FIRE FIGHTING Salary	1,777,989.32
FIRE FIGHTING Other Expenses	153,475.00
FIRE PREVENTION Salary	25,154.07
FIRE PREVENTION Other Expenses	16,916.67
FIRE HYDRANT CHARGES	257,906.67
STREETS & ROADS Salary	140,247.71
STREETS & ROADS Other Expenses	54,133.33

SOLID WASTE RECYCLING Salary	143,276.35
SOLID WASTE RECYCLING Other Expenses	5,125.00
BUILDINGS & GROUNDS Salary	195,850.49
BUILDINGS & GROUNDS Other Expenses	38,666.67
MUNICIPAL GARAGE Salary	140,497.66
MUNICIPAL GARAGE Other Expenses	15,983.33
POLICE VEHICLES Salary	32,937.52
POLICE VEHICLES Other Expenses	38,475.00
CONDO COMMUNITY COSTS	26,666.67
HEALTH Salary	170,000.63
HEALTH Other Expenses	23,650.00
SENIOR CITIZEN Salary	37,194.96
SENIOR CITIZEN Other Expenses	6,625.00
RECREATION Salary	134,649.44
RECREATION Other Expenses	95,759.00
PARKS & TREES Salary	125,737.25
PARKS & TREES Other Expenses	12,966.67
FREE PUBLIC LIBRARY Salary	130,205.92
FREE PUBLIC LIBRARY Other Expenses	484,187.50
CELEBRATION OF PUBLIC EVENTS EXPENSES	10,166.67
PUBLIC BUILDINGS HEAT,LIGHT,POWER	157,644.83
STREET LIGHTING EXPENSE	183,333.33
PUBLIC BUILDINGS TELEPHONE	41,666.67
FUEL & LUBRICANTS Other Expenses	135,974.17
CONTINGENT Expense	8,333.33
O.A.S.I. (SOCIAL SECURITY) Expense	277,818.82
Defined Contribution Retirement Program Expenses	12,000.00
MUNICIPAL COURT Salary	56,128.08
MUNICIPAL COURT Other Expenses	8,845.00
PUBLIC DEFENDER Salary	5,833.34
PUBLIC DEFENDER Other Expenses	333.33
Middlesex County Recycling Enhancement Grant	
TOTAL CURRENT FUND	<u>14,428,261.14</u>

<u>SEWER UTILITY FUND</u>	<u>AMOUNT</u>
SEWER Salary	153,525.98
SEWER Other Expenses	783,016.67
SEWER Sewerage Disposal Charges	1,666,666.67
SEWER Public Emp Retirement Sys (PERS)	
SEWER Social Security (OASI)	25,000.00
Sewer Unemployment Insurance	
TOTAL SEWER UTILITY FUND	2,628,209.32

<u>SANITATION FUND</u>	<u>AMOUNT</u>
SANITATION Salary	250,934.31
SANITATION Other Expenses	446,124.73
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	
SANITATION Public Emp Retirement Sys (PERS)	
SANITATION Social Security (OASI)	33,333.33
SANITATION Disposal Fees	13,333.34
TOTAL SANITATION FUND	743,725.71

RESOLUTION R.270-062019

RESOLUTION AUTHORIZING A REIMBURSEMENT TO JAI EUN LEE FOR RENTAL REOCCUPANCY INSPECTION FEES

WHEREAS , Jaieun Lee made payment in the amount of \$75.00 for a rental reoccupancy inspection of 64 Gate House Lane, Edison however prior to the scheduled inspection decided against renting the unit, therefore no inspection was required;

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$75.00 to Jaieun Lee, 835 New Dover Road, Edison, NJ 08820

RESOLUTION R.271-062019

RESOLUTION AUTHORIZING A REFUND OF TEMPORARY FOOD LICENSE FEE TO GIGI HALAL FOOD, LLC

WHEREAS, Gigi Halal Food, LLC., made application and paid the required \$75.00 for a Temporary Retail Food license to sell food at a May 4, 2019 event at Edison High School;

WHEREAS, the event was cancelled by the organizers due to weather conditions and the license is no longer needed;

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$75.00 to Gigi Halal Food, LLC., 134 W. 27th Street, Bayonne, NJ 07002

RESOLUTION R.272-062019

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 April 17, 2019, a Construction Permit fee, check #20995, permit #2019-1333, was posted in the total amount of \$7,341.00 by the contractor, Mile Square Roofing Company, Inc., having offices at 200 Elleen Terrace, Hackensack, NJ 07601 ; and

WHEREAS, the application was submitted for a roofing job at 87 Sunfield Avenue. By the hired contractor; Mile Square Roofing Company, 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 \$7,341, less DCA fee of \$378.00, less 20 percent of review fee \$1,392.00, the total refund in the amount of \$5,570.40 is the total refund for Mile Square Roofing Company, Inc., having offices at 200 Elleen Terrace, Hackensack, NJ 07601;

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2019-1333, in the amount of \$5,570.40 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$5,570.40 on construction permit fees posted by Mile Square Roofing Company, Inc., having offices at 200 Elleen Terrace, Hackensack, NJ 07601. 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 \$5,570.40 from the Refund of Revenue Fund to the Contractor, Mile Square Roofing Company, Inc., having offices at 200 Elleen Terrace, Hackensack, NJ 07601

RESOLUTION R.273-062019

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

WHEREAS, on December 12,2018, a Construction Permit fee, check #38538, permit #2018-4690, was posted in the total amount of \$98.00 by the contractor, 1800 Heaters Inc., having offices at 2 Gourmet Lane, Edison NJ- 08837 ; and

WHEREAS, the application was submitted for a water heater at 16 Sims Rd. by the hired contractor; 1800 Heaters Inc., who did not make known to the Construction Code Enforcement Division that the homeowner, Nancy Thorne, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$95.00, derived from the \$98.00 total construction permit fee less the \$3.00 DCA fee, be refunded to the contractor 1800 Heaters Inc. ; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-4690, in the amount of \$95.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$95.00 on construction permit fees posted by 1800 Heaters Inc. for 16 Sims 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 \$95.00 from the Refund of Revenue Fund to the Contractor, 1800 Heaters Inc., having offices at 2 Gourmet Lane, Edison NJ- 08837.

RESOLUTION R.274-062019

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to PSE&G 4000 Hadley Road , South Plainfield , NJ 07080 Application #P11-2014, Account #7763342448 and Performance Surety Bond #327-016-498

WHEREAS, PSE&G posted a Performance Surety Bond #327-016-498 posted on March 4,2014 of the Liberty Mutual Insurance Company, in the amount of **\$85,671.00**, posted by Public Service Electric and Gas having offices at 4000 Hadley Road , South Plainfield, NJ 07080 to guarantee the installation of improvements for the project 234 Pierson Avenue , Edison, NJ . located in Block #795 &814 and Lots 1.B,2.A,3.A,4A&4.

WHEREAS, a Cash Performance check was posted on March 23, 2015 by Check #**4000362469**, in the amount of **\$9,519.00**, on deposit in account #**7763342448**.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$9,519.00** plus accrued interest, if applicable, on deposit in account # to the applicant and the Surety Bond #**327-016-498** in the amount of **\$85,671.00** of the Liberty Mutual Insurance Company be refunded to Liberty Mutual Insurance Company ,175 Berkley Street ,Boston, MA 02117

RESOLUTION R.275-062019

EXPLANATION: Resolution Refunding Cash Performance CPV Shore LLC. for Application # Z26-2013 in Account # **7763342464**

WHEREAS, the Township Engineer advises that an inspection has been made of Olympic Drive and Raritan River Application #Z26-2013, Block: 390.L Lot: 12 , and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on November 8, 2011 in the amount of **& 42,881.25**, plus accrued interest, if applicable on deposit in account # **7763342464** with the Township of Edison, principal being CPV Shore LLC, having offices at 8403 Colesville Road , Ste915, Silver Springs, MD,20910 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$42,881.25** plus accrued interest, if applicable, on deposit in account #**7763342464** to the applicant, CPV Shore LLC., 8403 Colesville Road , Ste915 ,Silver Springs, MD , 20910.

RESOLUTION R.276-062019

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Public Service Electric and Gas Account #**7763329157**

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Block: 795 Lot: 1.B,2A, 3A,&4

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

WHEREAS, it is in now in order that the sum of **\$3,724.51**, which represents the amount due and owing the applicant, be returned to Public Service Electric and Gas , 4000 Hadley Road ,South Plainfield , NJ 07080, Account #**7763329157**.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of **\$3,724.51** plus accrued interest, if applicable, be refunded to the applicant, Account #**7763329157**

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$3,724.51** in account #**7763329157** to the applicant, having an address of 4000 Hadley road , South Plainfield , NJ 07080

RESOLUTION R.277-062019

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 STO0000348, to the following:

Permit Number: DEV-0092
Opening Location: 76 WINTERGREEN AVE EAST
Block/Lot: 1232/03
Applicant's Name & Address:
 SUBRAMANI RANGANATHAN
 76 WINTERGREEN AVE EAST
 EDISON, NJ 08820
Initial Deposit Date: 04/17/2019
Deposit Amount: \$2240.00
Paid by & refunded to:
 SUBRAMANI RANGANATHAN
 76 WINTERGREEN AVE EAST
 EDISON, NJ 08820

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.278-062019

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 STO0000293, to the following:

Permit Number: DEV-0013
Opening Location: 51 FARMHAVEN AVE
Block/Lot: 995/19
Applicant's Name & Address:
 VINOD VARTAK
 51 FARMHAVEN AVE
 EDISON, NJ 08820-3220
Initial Deposit Date: 06/06/2018
Deposit Amount: \$1200.00
Paid by & refunded to:
 VINOD VARTAK
 51 FARMHAVEN AVE
 EDISON, NJ 08820-3220

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.279-062019

EXPLANATION: This Resolution authorizes the Township Council to grant permission to Pyro Engineering, Inc. to discharge fireworks for an Independence Day Celebration taking place on the grounds of The Plainfield Country Club located at 1591 Woodland Avenue Edison, NJ 08820, scheduled for July 3, 2019 with a rain date of July 7, 2019

WHEREAS, Pyro Engineering, Inc. has applied to the Township of Edison for a permit to discharge fireworks on July 3, 2019 with a rain date of July 7, 2019 for an Independence Day Celebration taking place on the grounds of The Plainfield Country Club located at 1591 Woodland Avenue Edison, NJ 08820; and

WHEREAS, Pyro Engineering, Inc. has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

WHEREAS, under N.J.S.A. 21:3-3, the Chief of Police, the Chief of Fire, and the Fire Marshal having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

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

1. The Township Council does hereby grant permission for Pyro Engineering, Inc. to conduct a fireworks display on the evening of July 3, 2019 with a rain date of July 7, 2019 at approximately 9:00 p.m. on the grounds of The Plainfield Country Club located at 1591 Woodland Avenue Edison, NJ 08820 in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Marshal shall not issue the fireworks permit until **1.** A permit fee in the amount of \$427.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** Pyro Engineering, Inc posts a bond and or proof of insurance of not less than \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5, **3.** Pyro Engineering, Inc post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit and, **4.** A fire engine is on standby at the shoot site prior, during, and after the show until the post shell inspection has been conducted.
3. The Chief of the Fire Department and or the Fire Marshal shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township Clerk of Edison Township is directed to forward a copy of this Resolution to Pyro Engineering, Inc, the Fire Marshal's Office, Division of Fire, and Division of Police.

RESOLUTION R.280-062019

EXPLANATION: This Resolution authorizes the Township Council to grant permission to Garden State Fireworks Inc. to discharge fireworks for an Independence Day Celebration taking place on the grounds of Lake Papaiani, scheduled for July 4, 2019 with a rain date of July 5, 2019

WHEREAS, Garden State Fireworks Inc. has applied to the Township of Edison for a permit to discharge fireworks on July 4, 2019 with a rain date of July 5, 2019 for an Independence Day Celebration taking place on the grounds of Lake Papaiani; and

WHEREAS, Garden State Fireworks Inc. has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

WHEREAS, under N.J.S.A. 21:3-3, the Chief of Police, the Chief of Fire, and the Fire Marshal having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

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

1. The Township Council does hereby grant permission for Garden State Fireworks Inc. to conduct a fireworks display on the evening of July 4, 2019 with a rain date of July 5, 2019 at approximately 9:00 p.m. on the grounds of Lake Papaiani in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Marshal shall not issue the fireworks permit until **1.** A permit application has been submitted pursuant to N.J.A.C. 5:70-2.9 (c)(3) the fee of \$427.00 shall be waived for this Township of Edison sponsored event, **2.** Garden State Fireworks Inc. posts a bond and or proof of insurance of not less than \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 **3.** For this Township of Edison sponsored event the escrow in the amount of \$500.00 shall be waived for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit; and **4.** A fire engine is on standby at the shoot site prior, during, and after the show until the post shell inspection has been conducted.
3. The Chief of the Fire Department and or The Fire Marshal shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township Clerk of Edison Township is directed to forward a copy of this Resolution to Garden State Fireworks Inc., the Fire Marshal's Office, Division of Fire, and Division of Police.

RESOLUTION R.281-062019

Authorizing Cancellation 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 aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Edison that property taxes due and assessed as specified on the attached list be cancelled for the indicated quarters, tax years and amounts, and also refunded for the municipal property taxes already paid from the effective date; and

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 disabled parties for the taxes already paid during the applicable exemption periods set forth and for the amount specified in the attached list totaling **\$1,089.95**.

RESOLUTION R.282-062019

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee & 20 percent review fee, posted for a commercial construction permit, the work was never performed by Kotla Srinath, Chosen Properties LLC in the amount of \$26,314.00

WHEREAS, on February 1, 2018, a Construction Permit #2018-0524 was paid for in the amount of \$26,314 by the Kotla Srinath having offices at 61 Joanna Way, Short Hills, NJ 07078 and;

WHEREAS, the application was submitted for rehabilitation work on a new restaurant, by the hired contractor; Kotla Srinath, Chosen Properties, LLC 61 Joanna Way, Short Hills, NJ 07078;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was cancelled therefore it is appropriate that the municipal permit fee, less the 20 percent review fee of \$5,031.00 less DCA fee of \$1,159.00 derived from the \$26,314.00 total construction permit fee be refunded to the contractor Kotla Srinath, having offices at 61 Joanna Way, Short Hills, NJ 07078 in the amount of \$20,124.00

WHEREAS, the Township Construction Official recommends the refund of Permit fee, Construction Permit #2018-0524, in the amount of \$20,124.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$26,314.00 on construction permit fees posted by Kotla Srinath, having offices at 61 Joanna Way, Short Hills, NJ 07078 Drive, be refunded to the contractor in the amount of \$20,124.00

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$20,124.00 from the Refund of Revenue Fund to the Contractor, Kotla Srinath, 61 Joanna Way, Short Hills, NJ 07078.

RESOLUTION R.283-062019

TO CANCEL CURRENT FUND BUDGET APPROPRIATIONS

BE IT RESOLVED, the Finance Department has certified that the following 2018 Current Fund Budget Appropriations remain unexpended.

CURRENT FUND

Purchasing Central Store O/E	8-01-26-0100-004-020	\$15,000.00
Municipal Clerk O/E	8-01-20-0120-001-020	\$15,000.00
Data Processing O/E	8-01-20-0140-000-020	\$15,000.00
Engineering S&W	8-01-20-0165-000-010	\$125,000.00
Engineering O/E	8-01-20-0165-000-020	\$15,000.00
Planning & Zoning S&W	8-01-21-0186-000-010	\$75,000.00
Planning & Zoning O/E	8-01-21-0186-000-020	\$75,000.00
Construction Code S&W	8-01-22-0195-000-010	\$275,000.00
Construction Code O/E	8-01-22-0195-000-020	\$45,000.00
Police Department S&W	8-01-25-0240-000-010	\$1,800,000.00
Fire Department S&W	8-01-25-0265-001-010	\$450,000.00
Fire Department O/E	8-01-25-0265-001-020	\$50,000.00
Fire Prevention S&W	8-01-25-0265-002-010	\$15,000.00
Fire Hydrant Charges O/E	8-01-25-0265-004-073	\$25,000.00
Streets & Roads S&W	8-01-26-0290-000-010	\$50,000.00
Building & Grounds S&W	8-01-26-0290-000-010	\$50,000.00
Recreation Department S&W	8-01-28-0370-000-010	\$75,000.00
Recreation Department O/E	8-01-28-0370-000-020	\$50,000.00
Municipal Court S&W	8-01-43-0490-000-010	\$25,000.00

Total Current Fund Appropriations \$3,245,000.00

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be used in the 2019 Current Fund Budget as an item of revenue.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the above listed unexpended balances of the 2018 Current Fund be canceled and be budgeted as an item of revenue in the 2019 Budget.

RESOLUTION R.284-06019

RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,263,600 SPECIAL EMERGENCY NOTES FOR THE PAYMENT OF CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES IN CONNECTION WITH THE LAYOFF OR RETIREMENT OF TOWNSHIP EMPLOYEES AND FOR THE PAYMENT OF ACCRUED SICK AND VACATION TIME EXPENSES ARISING FROM THE RETIREMENT OF TOWNSHIP EMPLOYEES IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

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

Section 1. An ordinance of the Township of Edison, in the County of Middlesex, New Jersey (the "Township"), authorizing a special emergency appropriation in the amount of \$714,000 for the payment of contractually required severance liabilities in connection with the layoff or retirement of Township employees was finally adopted on December 21, 2015 and a copy thereof has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director"). The Township previously provided for \$142,800 of such emergency appropriation in the 2016 budget, the 2017 budget, the 2018 budget and the 2019 budget, leaving the remaining balance of \$142,800.

Section 2. An ordinance of the Township authorizing a special emergency appropriation in the amount of \$830,000 for the payment of contractually required severance liabilities in connection with the layoff or retirement of Township employees was finally adopted on November 7, 2016 and a copy thereof has been filed with the Director. The Township previously provided for \$166,000 of such emergency appropriation in the 2017 budget, the 2018 budget and the 2019 budget, leaving the remaining balance of \$332,000.

Section 3. An ordinance of the Township authorizing a special emergency appropriation in the amount of \$1,380,000 for the payment of accrued sick and vacation time expenses arising from the retirement of Township employees was finally adopted on December 20, 2017 and a copy thereof has been filed with the Director. The Township previously provided for \$276,000 of such emergency appropriation in the 2018 budget and the 2019 budget, leaving the remaining balance of \$828,000.

Section 4. An ordinance of the Township authorizing a special emergency appropriation in the amount of \$1,201,000 for the payment of accrued sick and vacation time expenses arising from the retirement of Township employees was finally adopted on October 24, 2018 and a copy thereof has been filed with the Director. The Township previously provided for \$240,200 of such emergency appropriation in the 2019 budget, leaving the remaining balance of \$960,800.

Section 5. (a) In order to finance the special emergency appropriations described in Section 1 to Section 4 of this resolution, the Township is hereby authorized to borrow the aggregate sum of \$2,263,600 and to issue special emergency notes therefor in accordance with the Local Budget Law of the State of New Jersey (N.J.S.A. 40A:4-55).

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

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

Section 6. The following matters in connection with the special emergency notes are hereby determined:

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

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

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

Section 7. The chief financial officer is hereby authorized and directed to determine all matters in connection with the special emergency notes not determined by this or a subsequent resolution and the chief financial officer's signature upon the special emergency notes shall be conclusive as to such determination.

Section 8. The chief financial officer is hereby authorized to sell the special emergency notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 9. Any special emergency notes issued pursuant to this resolution shall be a general obligation of the Township. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the special emergency notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 10. The chief financial officer is hereby authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the special emergency notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the special emergency notes sold, the price obtained and the name of the purchaser.

Section 11. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of special emergency notes authorized by this resolution is not exempt from the Rule, for so long as an issue of special emergency notes of the Township remains outstanding (other than an issue of special emergency notes that has been wholly defeased), the Township shall provide, in a timely manner not in excess of ten business days after the occurrence of the event, to the Municipal Securities Rulemaking Board (the "MSRB"), notice of any of the following events with respect to the special emergency notes:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the special emergency notes or other material events affecting the tax status of the special emergency notes;
- (7) Modifications to the rights of holders of the special emergency notes, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the special emergency notes, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a "financial obligation" of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation, any of which affect holders of the special emergency notes, if material, with "financial obligation" meaning a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii); provided, however, that the term "financial obligation" shall not include municipal

securities as to which a final official statement has been provided to the MSRB consistent with the Rule; and

- (16) Default, event of acceleration, termination event, modification of terms or other similar events under the terms of a financial obligation of the Township, if any such even reflects financial difficulties.

(b) The covenants and undertakings contained in this Section 11 are made for the benefit of the holders or beneficial owners of the special emergency notes issued under this resolution.

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

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

Section 12. A copy of this resolution as adopted shall be filed with the Director.

Section 13. This resolution shall take effect immediately.

RESOLUTION R.285-062019

EXPLANATION: This Resolution authorizes Excel Environmental Resources, Inc. to apply for grant funding for preliminary assessment, site investigation, remedial investigation and remedial action at the Tussel Landfill property.

WHEREAS, the State of New Jersey Department of Environmental Protection (the “NJDEP”), through the Hazardous Discharge Site Remediation Fund, has grant funds available to municipalities for the purpose of funding preliminary assessments, site investigations, remedial investigations, and/or remedial actions to determine the existence or extent of hazardous substance discharge conditions on properties; and

WHEREAS, the Township of Edison (the “Township”) wishes to conduct preliminary assessment, site investigation, remedial investigation and/or remedial action activities with respect to Block 410J, Lot 13.B, otherwise known as the Tussel Landfill property, located at Butler Road and Frank Street in the Township; and

WHEREAS, Excel Environmental Resources, Inc. (“Excel”) is qualified to prepare and submit all applications for such funding; and

WHEREAS, the Township finds that a realistic opportunity exists for redevelopment within a three-year period after the completion of the remediation of this site.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Excel is hereby authorized and directed to apply for grant funding to conduct preliminary assessments, site investigations, remedial investigations, and/or remedial actions for the above-described parcels.
3. The Mayor and other appropriate Township Officials are authorized to execute any and all documents necessary in order to apply for the aforesaid grant.
4. In the event that funding is approved pursuant to a grant issued in favor of the Township, Excel shall be authorized and directed to implement preliminary assessments, site investigations, remedial investigations, and/or remedial actions for the above described parcels in accordance with a contract to be approved by the Township and the NJDEP.
5. This Resolution shall take effect immediately.

RESOLUTION R.286-062019

EXPLANATION: This Resolution acknowledges the transfer of the vacated Amity Place to the adjacent property owners pursuant to Township Ordinance.

WHEREAS, on September 24, 1958, the Municipal Council of the Township of Edison (“**Township**”) adopted an ordinance (the “**1958 Ordinance**”) vacating the public street known as Amity Place (the “**Vacated Parcel**”); and

WHEREAS, the Supreme Court of New Jersey has determined that where a municipality has or shall have vacated or released the public rights in vacated land where it is not the owner of the fee of said land, title passes from the centerline of the vacated land to the adjoining property owner or owners; and

WHEREAS, the properties identified on the Tax Map of the Township as Block 880, Lots 1-B, 3, 4 and 5 (collectively, the “**Adjoining Properties**,”) are adjacent to the Vacated Parcel; and

WHEREAS, the Township acknowledges that, upon adoption of the 1958 Ordinance, the Township extinguished its right to a public easement over the Vacated Parcel, and title therefore passed from the centerline of the Vacated Parcel to the owners of the Adjoining Properties; and

WHEREAS, the Municipal Council has determined that such acknowledgment is necessary for the current property owners to prepare corrective deeds that reflect the proper metes and bounds descriptions of the Adjoining Properties.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township acknowledges that adoption of the 1958 Ordinance extinguished the Township’s right to a public easement over the Vacated Parcel, and therefore title passed from the centerline of the Vacated Parcel to the owners of the Adjoining Properties.
3. The Township Clerk is hereby authorized to forward original and certified copies of any necessary documents for recording with the Clerk of the County of Middlesex.
4. This Resolution shall take effect immediately.

RESOLUTION R.287-062019

EXPLANATION: Refunding Cash Performance Beechwood @ Edison Shopping Center, Edgewood Properties 1260 Stelton Road, Piscataway, NJ 08854 Application #P8-2015

WHEREAS, a Cash Performance Bond was posted on March 15,2016,Ck# 918576 in the amount of **\$24,257.64**, on deposit in account **#7763342696**; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$24,257.64** plus accrued interest, if applicable, on deposit in account **#7763342696** to the applicant having offices at 1260 Stelton Road, Piscataway, NJ, 08854

RESOLUTION R.288-062019

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to Sven Oaks (Kommit Associates at New Durham LLC.) Application #P5103, Account #7760013397 and Performance Surety Bond #NJC44044

WHEREAS, Seven Oaks at New Durham places a performance Surety Bond #NJC44044 posted on March 6th, 2009 of the Merchants Bonding Company (Mutual), in the amount of **\$552,076.75**, posted by Seven Oaks at 1035 New Durham LLC, 60 Walnut Avenue, Suite 400 , Clark, NJ. 07066 to guarantee the installation of improvements for the project 1035 New Durham LLC, Edison, NJ located in Block # 20.J Lots26.01,27.01,28.01 &38.Application #P5103

WHEREAS, a Cash Performance check was posted on November 11, 2009 by Check #1636774, in the amount of **\$20,014.75**, on deposit in account **#7760013397**.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$20,014.75** plus accrued interest, if applicable, on deposit in account **#7760013397** to the applicant and the Surety Bond **#NJC 44044** in the amount of **\$552,076.25** of the Merchants

Bonding Company (Mutual) refunded to Merchants bonding Company(Mutual) ,2100 Fleur Drive ,Des Moines, Iowa 50321-1158.

RESOLUTION R.289-062019

WHEREAS, the Township Engineer advises that a final inspection was done of Plainfield Country Club Pool Complex located at 1591 Woodland Avenue in Block: 415, Lot(s) 1,2,3,7A, 9C, 9H1, 9E4 Application #P25-09/10; and

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

WHEREAS, on October 2, 2012, Plainfield Country Club, posted inspection fees in the amount of **\$9,314.60** on deposit with the Township of Edison in account # **7760296209** for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals **\$3,163.62**; and

WHEREAS, it is in now in order that the sum of **\$6,150.98**, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Plainfield Country Club; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$6,150.98, plus accrued interest, if applicable, be refunded to Plainfield Country Club having offices at 1591 Woodland Ave, N.J. 08820; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$6,150.98, plus accrued interest, if applicable, in account #**7760296209** to the applicant.

RESOLUTION R.290-062019

WHEREAS, the Township Engineer advises that a final inspection has been made of Anda Builders located at 80 Philo Blvd, in Block: 786, Lot: 5,6,7,8, Application #P5158; and

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

WHEREAS, on August 11, 2015, Anda Builders, posted a check #8696 in the amount of \$1,133.80, on deposit with the Township of Edison in account #**7763595401** for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$495.64; and

WHEREAS, it is in now in order that the sum of **\$638.16**, which represents the amount due and owing the applicant, be returned to Anda Builders; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$638.16, be refunded to Anda Builders having offices at 222 Pierson Avenue, Edison, N.J. 08837; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$638.16**, in account #**7763595401** to the applicant.

RESOLUTION R.291-062019

EXPLANATION: Refunding Developers Escrow Beechwood @ Edison Shopping Center, Edgewood Properties 1260 Stelton Road, Piscataway, NJ 08854 Application #P12-2018

WHEREAS, a Developers Escrow was posted on June 25, 2018 Ck# 1230789 in the amount of **\$8,892.25**, on deposit in account #**DE180625BE**; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, the Director of Finance be and is hereby authorized to return the aforesaid Developers Escrow in the amount of **\$ 8,892.25** plus accrued interest, if applicable, on deposit in account #**DE180625BE** to the applicant Edgewood Properties having offices at 1260 Stelton Road, Piscataway, NJ, 08854

RESOLUTION R.292-062019

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO WILLIAM FREUND FOR MICROSOFT EXCEL WORKBOOK ALGORISM APPLICATION CONSULTING SERVICES

WHEREAS, the Township of Edison has for a need to create a salary and wage calculator for the purposes of establishing accurate union salaries that the Township of Edison can use moving forward for interest arbitration and union contracts; and

WHEREAS, WILLIAM FREUD, CF ASSOCIATES, PO BOX 190162, St. Louis, MO 63119 provides this service; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the contract in a twelve month period shall exceed \$17,500.00; and

WHEREAS, in 2019, the Township expended \$8,979.31 (services from 2018) with WILLIAM FREUD, CF ASSOCIATES and the Township shall have an additional amount of \$21,912.50 for 2019 which will make a combined total amount of \$30,891.81 for 2019; 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, 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, prior to entering into a contract, WILLIAM FREUD, CF ASSOCIATES, 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 WILLIAM FREUD, CF ASSOCIATES from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$30,891.81 and any other necessary documents with WILLIAM FREUD, CF ASSOCIATES, PO BOX 190162, St. Louis, MO 63119 for Microsoft Excel Workbook Algorism Application Consulting Services as described herein.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
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.293-02019

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO CAMPBELL FREIGHTLINER, LLC FOR THE FURNISHING OF MAINTENANCE AND REPAIR FOR HEAVY DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for maintenance and repair services for heavy duty vehicles for the Township of Edison; and

WHEREAS, CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South River Rd., South Brunswick, NJ 08831, has been awarded State Contract Number 89264 under T-2108 Maintenance and Repair for Heavy Duty Vehicles (Class 5 or higher, over 15,000 LB. GVWR); and

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

WHEREAS, the total amount of this contract, not to exceed \$75,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$75,000.00 and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South River Rd., South Brunswick, NJ 08831, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract No. 89264 under T-2108.

RESOLUTION R.294-062019

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MALOUF FORD INC. FOR THE FURNISHING OF OEM AND NON-OEM MAINTENANCE AND REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for OEM and Non-OEM maintenance and repair services for light to medium duty vehicles for the Township of Edison; and

WHEREAS, MALOUF FORD INC., 2210 US Highway1, P.O. Box 7480, North Brunswick, NJ 08902 has been awarded State Contract Number 40808 under T-0126 OEM and NON-OEM MAINTENANCE AND REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES; and

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

WHEREAS, the total amount of this contract, not to exceed \$60,000.00, 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. 5:30-5.5b); and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$60,000.00 and any other necessary documents, with MALOUF FORD INC., 2210 US Highway1, P.O. Box 7480, North Brunswick, NJ 08902, 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. 40808 under T-0126.

RESOLUTION R.295-062019

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO CRANBURY CUSTOM LETTERING INCORPORATED FOR TOWNSHIP VEHICLES-LETTERING, DECALS AND WINDOW TINTING

WHEREAS, bids were received by the Township of Edison on May 7, 2019 for Public Bid No. 19-02-24-Township Vehicles- Lettering, Decals and Window Tinting; and

WHEREAS, CRANBURY CUSTOM LETTERING INC., 566 Route 33 West, Mercerville, NJ 08619, submitted the sole, legally responsible, responsive bid; 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 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 CRANBURY CUSTOM LETTERING INC., 566 Route 33 West, Mercerville, NJ 08619 for Township Vehicles-Lettering, Decals and Window Tinting is determined to be the sole, legally responsible, responsive bid.
2. 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 CRANBURY CUSTOM LETTERING INC. as described herein.

RESOLUTION R.296-062019

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER DFFLM LLC, T/A DITSCHMANN FLEMINGTON FORD FOR THE PURCHASE OF ONE (1) 2019 FORD TRANSIT 350

WHEREAS, there is a need to purchase one (1) 2019 Ford Transit 350 for the Mr. Fix It program; and

WHEREAS, DFFLM, LLC., T/A DITSCHMAN FLEMINGTON FORD, 215 HWY 202 South, Flemington, NJ 08822 has been awarded State Contract Number 88211 under T-2103 - Vehicles, Cargo Vans, Class 1/2/3; 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 \$27,605.50; and

WHEREAS, funds in the amount of \$27,605.50 have been certified to be available in the Acq. of Various Vehicles Account, Number C-04-16-1948-107-000; 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 \$27,605.50 and any other necessary documents, with DFFLM, LLC., T/A DITSCHMAN FLEMINGTON FORD, 215 HWY 202 South, Flemington, NJ 08822, 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. 88211 under T-2103.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$27,605.50** are available in account **C-04-16-1948-107-000**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.297-062019

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO MCNEILUS FINANCIAL INC.,
D/B/A MCNEILUS TRUCK & MANUFACTURING FOR REFUSE COLLECTION EQUIPMENT
PARTS/ACCESSORIES (MCNEILUS & NEW WAY)**

WHEREAS, bids were received by the Township of Edison on May 14, 2019 for Public Bid No. 18-08-21RR- Refuse Collection Equipment Parts/Accessories (McNeilus & New Way) for the Department of Public Works; and

WHEREAS, MCNEILUS FINANCIAL INC., D/B/A MCNEILUS TRUCK & MANUFACTURING, 524 East Highway St., Dodge Center, MN 55927, submitted the sole, legally responsible, responsive 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 \$70,000.00, 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 MCNEILUS FINANCIAL INC., D/B/A MCNEILUS TRUCK & MANUFACTURING, 524 East Highway St., Dodge Center, MN 55927 for Refuse Collection Equipment Parts/Accessories (McNeilus & New Way) for the Department of Public Works, is determined to be the sole, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$70,000.00 for the first year and any succeeding renewal year and any other necessary documents with MCNEILUS FINANCIAL INC., D/B/A MCNEILUS TRUCK & MANUFACTURING as described herein.

RESOLUTION R.298-062019

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURHASHE/FURNISH PETERBILT
PARTS AND REPAIRS FROM HUNTER JERSEY PETERBILT THROUGH THE MIDDLESEX
COUNTY COOPERATIVE PRICING SYSTEM – #CK12 MIDDLESEX**

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

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

WHEREAS, HUNTER JERSEY PETERBILT, 524 Monmouth Rd., Clarksburg, NJ 08510 has been awarded Bid No. B-17-031 through MIDDLESEX COUNTY COOPERATIVE PRICING SYSTEM – #CK12 MIDDLESEX, for the Furnishing of Parts and Repairs to Peterbilt Trucks under Resolution Number 17-1854-R and Resolution Number 18-1595-R; and

WHEREAS, the Township intends to purchase/furnish Peterbilt parts and repairs under this contract; and

WHEREAS, the total amount of this contract, not to exceed \$35,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$35,000.00 and any other necessary documents, with HUNTER JERSEY PETERBILT, 524 Monmouth Rd., Clarksburg, NJ 08510 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. B-17-031 through Coop #CK12-MIDDLESEX, under Resolution Number 17-1854-R and Resolution Number 18-1595-R.

RESOLUTION R.299-062019

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO BCI BURKE CO., LLC FOR THE FURNISHING OF REPLACEMENT SWING SEATS, CHAINS AND CLIMBER HAND HOLDS AT VARIOUS TOWNSHIP PARKS

WHEREAS, there is a need to replace swing seats, chains and climber hand holds at various Township Parks; and

WHEREAS, BCI BURKE COMPANY LLC, PO BOX 549, FOND DU LAC, WI 54936-0549, has been awarded NJ State Contract/Blanket Number 16-FLEET-00134 under T-0103: Park & Playground Equipment; 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 \$6,415.21; and

WHEREAS, funds in the amount of \$6,415.21 have been certified to be available in the Various Twp Bldg & Parks Improvements Account, Number C-04-15-1914-100-000 and;

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$6,415.21, and any other necessary documents, with BCI BURKE COMPANY LLC, PO BOX 549, FOND DU LAC, WI 54936-0549, 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/Blanket Number 16-FLEET-00134 under T-0103.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$6,415.21** are available Account Number C-04-15-1914-100-000.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.300-062019

WHEREAS, applications have be made for the renewal of Club Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2019; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Club Licenses expiring on June 30, 2019, for which the required fee \$150.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective June 12, 2019.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-037-001	American Legion post 435 Father & Son 43 Oakland Avenue	Edison, NJ 08817
1205-31-042-001	Italian American Club of Edison 1997 Woodbridge Avenue	Edison, NJ 08817
1205-31-045-001	Metuchen Golf & Country Club 244 Plainfield Road	Edison, NJ 08820
1205-31-046-001	Loyal Order of Moose Edison Lodge 410 Talmadge Road	Edison, NJ 08817
1205-31-050-011	Edison Elks Lodge #2487 75 Old Post Road	Edison NJ 08817

RESOLUTION R.301-062019

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2019; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on June 30, 2019, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective June 12, 2019.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-001-010	GMRI, Inc. t/a Season 52 217 Lafayette Avenue	Edison, NJ 08837
1205-33-002-008	Royal Mahal Liquor LLC t/a Grand Mahal 2863 Woodbridge Avenue	Edison, NJ 08837
1205-33-008-008	Gabriel Roman 196 Deans Lane Monmouth Junction, NJ 08852	POCKET
1205-33-018-004	Cheesecake Factory 100 Menl o park	Edison, NJ 08837
1205-33-004-005	Akaibana d/b/a/ Benihana of Edison 60 Parsonage Road	Edison, NJ 08837
1205-33-006-006	Anthony's Coal Fire Pizza of Edison, LLC 80 Parsonage Road	Edison, NJ 08837
1205-33-007-005	DK Family, Inc. t/a Edison Diner 101 U.S. Highway #1	Edison, NJ 08817
1205-33-014-012	Havana Central NJ1, LLC 55 Parsonage Road	Edison, NJ 08837

1205-33-015-016	Top Golf USA, Inc. t/a Top Golf USA Edison, LLC Route 1	Edison, NJ 08817
1205-33-016-009	Rainforest Café, Inc. 100 Menlo Park	Edison, NJ 08837
1205-33-019-010	CB Edison, LLC t/a Charlie Browns 222 Plainfield Road	Edison, NJ 08820
1205-33-020-010	Apple Food Services of Edison, LLC d/b/a Applebee's 1045 Route 1	Edison, NJ 08817
1205-33-024-001	Plainfield Country Club 1591 Woodland Avenue	Edison, NJ 08820
1205-33-025-010	Fun Eats & Drinks, LLC 1000 Jacks Run Road North Versailles, PA 15137	POCKET
1205-33-028-008	Savi Enterprise, LLC 1655 Oak Tree Road, -Ste 180	Edison ,NJ 08820
1205-33-029-005	Akbar Lounge 21 Courtland Street	Edison, NJ 08837
1205-33-030-006	Zinburger 1003 Route 1	Edison, NJ 08817
1205-33-035-006	Elio's Inc. 1067 Inman Avenue	Edison, NJ 08820
1205-33-049-007	Outback Steakhouse 481 Route 1	Edison, NJ 08817
1205-33-058-005	Fun Eat & Drinks t/a Fox & Hound Menlo Park	Edison, NJ 08837
1205-33-062-003	QSL of Edison, LLC d/b/a Quaker Steak & Lube 561 U.S. Route 1	Edison, NJ 08817
1205-33-063-003	American Multi Cinema, Inc. AMC Theatres Menlo Park 12 55 Parsonage Rd. #390	Edison, NJ 08837
1205-33-069-001	Edison Land Investments P.O. Box 1515 Secaucus, NJ 07096	POCKET

RESOLUTION R.302-062019

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses (Hotel/Motel) , issued by the Municipal Council of the Township of Edison, expiring on June 30, 2019; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses [Hotel/Motel] expiring on June 30, 2019 for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective June 12, 2019.

LICENSE NUMBER **LICENSEE AND LOCATION** **ADDRESS**

1205-36-053-005	Restaurant Route 27, LLC t/a Crowne Plaza Edison 2055 Lincoln Highway	Edison, NJ 08817
1205-36-056-003	Hersha Hospitality Management LP t/a Edison-Hilton Garden 50 Raritan Center Parkway	Edison, NJ 08838

RESOLUTION R.303-062019

WHEREAS, applications have be made for the renewal of Plenary Retail Distribution Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2019; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Plenary Retail Distribution Licenses expiring on June 30, 2019, for which the required fee \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective June 12, 2019.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-012-007	888 Rt. 22, Inc. d/b/a Liquor Locker 1665 Oak Tree Road Ste. 360	Edison, NJ 08820
1205-44-021-005	Costco Wholesale Corp. 2210 Route 27	Edison, NJ 08817
1205-44-064-007	Rishrik, LLC t/a Wine O Land 1199 Amboy Avenue	Edison, NJ 08837
1205-44-071-001	Daryl, LLC P.O. Box 29 Woodbridge, NJ 07095	POCKET

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

ABSENT: Councilmembers Coyle and Patil.

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Gomez opened the meeting for public comment.

Maria Orchid, 83 Jefferson Avenue, asked why are we increasing the rates for sewer usage?

Ms. Ruane we will have the budget for 2019.

Anthony DeAmorin, 15 Rodak Circle, he would like to thank Councilmember Joshi for standing up for our local hero. This is another example of having a council and school board meeting on the same night going forward do a better job to organize the meeting on separate nights it not fair there are important issues in town and the Board of Education. He is going Facebook live now.

Elizabeth Hahn , 81 Fairview Avenue, good evening gentlemen I came before you a few weeks ago, about expressed concerns about evil mailers and social media posts by several sitting councilmembers and their people during a campaign attaching my husband Keith Hahn. Keith is not running for any office nor is he an elected official, he is a police officer assigned as a Detective in the Juvenile division. I am here tonight in hopes my issues will be addressed since the election is over, you take responsibilities and apologize for what was put out and terminate your contract with Jaffe Communications and hold Mr. Russomanno accountable for his actions.

Frank Bardecker, 77 Alexander Street, he works for DPW, since July of 2018 he filed numerous complaints and grievances none of these have been brought to conclusion. He comes before you tonight to ask what would be an appropriate time frame.

Council President Gomez explained Councilmembers cannot comment on any personnel matters.

Mr. Northgrave reiterated the Council cannot comment on how long it can take nor comment on personnel matters is not appropriate.

Mr. Bardecker we have had three legal firms and its cost the taxpayers money. He would just like a conclusion and enjoy work every day.

John Robertson, 20 Morse Avenue, he is here to back up with Frank, we have been waiting over ten months, no one has done anything. There have been multiple complaints over a year.

Cristo, 14 Fox Road, where is Mr. Russomanno, and Mr. Patil. God Bless Officer Tingle.

Mr. Northgrave he is not here tonight.

Hearing no further comments from the public Councilmember Diehl 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 6:51p.m.

Alvaro Gomez
Council President

Cheryl Russomanno, RMC
Municipal Clerk