

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

June 26, 2019

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, June 26, 2019. The meeting was called to order at 7:08 p.m. by Council President Gomez followed by the Pledge of Allegiance.

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

Councilmember Joshi was absent.

Councilmember Coyle entered meeting at 7:46pm.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Inspector Spearnock, Acting Recreation Director Fircha, Public Works Director Russomanno, Police Chief Bryan, Fire Captain Toth 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.

COUNCIL PRESIDENT'S REMARKS:

Council President Gomez, asked Mr. Northgrave to explain the process and procedures of the Proposed Initiative Petition Ordinance.

Mr. Northgrave explained the process of Proposed Initiative Petition Ordinance as per Statue.

**ADMINISTRATIVE AGENDA
FROM MAYOR LANKEY:**

June 21, 2019

Township Council
c/o Cheryl Russomanno, Clerk
100 Municipal Blvd
Edison, New Jersey 08817

RE: Local Emergency Planning Committee Appointment

Dear Madam Clerk:

Please be advised that I have made the following appointments to the Local Emergency Planning Committee.

Antonio Ricigliano
261 West Hagel Avenue
Edison, NJ 08820

This term will run concurrently with the Mayor's Term.

Thank you for your support of this appointment.

Very truly yours,

/s/ Thomas Lankey
Mayor

cc: Antonia Ricigliano
Captain Andrew L. Toth, Coordinator

Councilmember Diehl, he is in favor she is very well qualified, no one knows the Town better.

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

CALENDAR YEAR 2019 MUNICIPAL BUDGET:

On a motion made by Councilmember Lombardi seconded by Councilmember Sendelsky, the budget was introduced.

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

ABSENT: Councilmembers Coyle and Joshi

NAYS - None

CALENDAR YEAR 2019 SOLID WASTE BUDGET:

On a motion made by Councilmember Sendelsky, seconded by Councilmember Lombardi the budget was introduced.

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

ABSENT: Councilmembers Coyle and Joshi

NAYS - None

UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on June 12, 2019 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

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.

(The above Ordinance O.2044-2019 can be found in its entirety in Ordinance Book #27)

Council President Gomez declared the Public Hearing opened for O. 2044 -2019

None

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

Councilmember Patil, this is a 9% increase. He feels we should decide the rate increase after we see where we stand on the sewer and water. Without going through the study he will not be voting on this ordinance.

Ms. Ruane, the increase amounts to \$695,000.00 when our budget amount from MUA is \$816,000.00and our notes is \$273,000.00. No bills went out this year yet.

Councilmember Diehl asked how this will affect our seniors.

Ms. Ruane replied zero percent.

Council President Gomez asked if there is a time line for the freeze.

Ms. Ruane replied no, it just when they come to the town.

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

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

ABSENT: Councilmembers Coyle and Joshi

NAYS –Councilmember Patil

NEW BUSINESS:

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR, JULY 24, 2019.

O.2045-2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH CAP BANK.

On a motion made by Councilmember Diehl 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 July 24, 2019

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

ABSENT: Councilmembers Coyle and Joshi

NAYS – None

O.2046-2019 ORDINANCE ADOPTING THE “WOODBIDGE AVENUE REDEVELOPMENT PLAN,” FOR THE PROPERTY IDENTIFIED ON THE TOWNSHIP TAX MAPS AS BLOCK 390.A, LOT 1.A4 (ALSO KNOWN AS 844 KING GEORGES POST ROAD, IN THE AREA OF THE WOODBRIDGE AVENUE-ROUTE 440 CONNECTOR RAMP TO THE NORTH, KING GEORGES POST ROAD TO THE SOUTH, THE EDISON HOTEL TO THE WEST AND NEW STREET TO THE EAST), PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

On a motion made by Councilmember Sendelsky seconded by Councilmember Diehl this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on July 24, 2019.

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

ABSENT: Councilmembers Coyle and Joshi

NAYS – None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Gomez opened the meeting to the public for comments on Proposed Resolutions R.304-062019 through R.340-062019.

Walt Stochel, 2118 Oak Tree Road, he asked for explanation on Resolution R.325-062019.

Mr. O’Krephy, Township Engineer explained this is to submit the Grant application.

Esther Nemitz, 162B Fay Street, Resolution R.319-062019 please explain.

Ms. Ruane, the town will be running it after December. .

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.304-062019 through R.319-062019 and R.321-062019 through R.340-062019 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.304-062019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING June 20, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through June 20, 2019.

FUND	AMOUNT
Current	\$25,523,400.72
Affordable Housing	6,860.10
Capital	3,081.37
Cash Performance	97,356.00
CDBG	64.48
Developers Escrow	59,006.39
Dog (Animal Control)	9,940.39
Federal Forfeited	0.00
Grant Funds	1,026.22
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	527,685.69
Sanitation Fund	301,012.10
Self Insurance	0.00
Sewer Utility	219,315.39
Tax Sale Redemption	325,126.93
Tree Fund	0.00
Tree Planting	0.00
Trust	885,346.68
Edison Landfill Closure Trust	0.00
TOTAL	\$27,959,222.46

/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.305-062019

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 **\$75,293.67**.

RESOLUTION R.306-062019

Authorizing Cancellation of 2019 Taxes for Exempted Property 9 OLSEN AVE

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that pursuant to N.J.S.A. 54:4-4.4 and 54:4-3.5 et al and 8A:5-10 et al, the dwelling owned and used for the purposes of a non-profit organization be exempt from real property taxes; and

WHEREAS, **MASJID AL-WALI** filed application with the Tax Assessor’s office on or about **March 2019**, as a non-profit organization owning and using property **9 OLSEN AVE** for the non-profit purposes, and the Tax Assessor, satisfied with the documentation provided, approved the exemption starting **2019**; and

WHEREAS, Tax Assessor properly changed the tax status of the property for **2020**, but was not able to change it for **2019** since books were already closed, therefore, Tax Assessor advised the Tax Collector that the **2019** Tax amounts to be generated for billing for such year shall be canceled.

WHEREAS, The Tax Collector having received all approval documents from the Tax Assessor recommends canceling the **2019** taxes generated for **2019** Estimated Bills (**2019Q3**) in the amount of **\$20,811.56** and further recommends the cancellation of the upcoming tax amount to be generated for **2019** Final Bills (**2019Q4**), figure to be determined.

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

- (1) The aforementioned recitals are incorporated herein as though fully set forth at length.
- (2) Property taxes due and assessed for 3rd quarter of **2019** for **9 OLSEN AVE** be cancelled for the amount **\$20,811.56**.
- (3) Property taxes that will be due and assessed for 4th quarter of **2019** for **9 OLSEN AVE** be cancelled for the amount **to be determined** at the time of preparing Final Billing.
- (4) The Tax Collector is authorized to execute the cancellation of taxes detailed above before payment is received or billed to the property owner to avoid further need to refunds.

RESOLUTION R.307-062019

RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO BINSKY & SNYDER SERVICES, LLC FOR HVAC MAINTENANCE AND REPAIRS-EDISON TOWNSHIP LIBRARIES

WHEREAS, bids were received by the Township of Edison on March 5, 2019 for Public Bid No. 19-03-01-HVAC Maintenance and Repairs-Edison Township Libraries; and

WHEREAS, BINSKY & SNYDER SERVICES, LLC, 281 Centennial Ave., Piscataway, NJ 08854, submitted the lowest legally responsible, responsive bid and was approved for award by the Library Board of Trustees; 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 \$30,000.00, 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 the Library Board of Trustees 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 BINSKY & SNYDER SERVICES, LLC, 281 Centennial Ave., Piscataway, NJ 08854, for HVAC Maintenance and Repairs-Edison Township Libraries is determined to be the lowest legally responsible bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with BINSKY & SNYDER SERVICES, LLC,.

RESOLUTION R.308-062019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO EAGLE ELEVATOR COMPANY FOR THE FURNISHING OF ELEVATOR MAINTENANCE AND REPAIR

WHEREAS, bids were received by the Township of Edison on April 10, 2019 for Public Bid No. 19-12-07 ELEVATOR MAINTENANCE AND REPAIR; and

WHEREAS, EAGLE ELEVATOR COMPANY, 614 Frelinghuysen Avenue, Newark, NJ 07114, submitted the lowest legally responsible bid; and

WHEREAS, the initial contract shall be for one year from execution of the contract with the option to renew for the second year 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 for the second 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 by EAGLE ELEVATOR COMPANY, 614 Frelinghuysen Avenue, Newark, NJ 07114, for Elevator Maintenance and Repair is determined to be the lowest legally responsible bid.
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 and any other necessary documents, with EAGLE ELEVATOR COMPANY as described herein.

RESOLUTION R.309-062019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO ATLANTIC TACTICAL, INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT - POLICE, CROSSING GUARDS, TRANSPORTATION DRIVERS AND ANIMAL CONTROL PERSONNEL

WHEREAS, bids were received by the Township of Edison on May 23, 2019 for Public Bid No. 19-04-04-Uniforms and Equipment-Police, Crossing Guards, Transportation Drivers and Animal Control Personnel; and

WHEREAS, ATLANTIC TACTICAL, INC., 763 Corporate Circle, New Cumberland, PA 17070, submitted the lowest legally responsible 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 \$15,000.00, 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 submitted by ATLANTIC TACTICAL, INC., 763 Corporate Circle, New Cumberland, PA 17070, for Uniforms and Equipment-Police, Crossing Guards, Transportation Drivers and Animal Control Personnel is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
- 4. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$15,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with ATLANTIC TACTICAL, INC.

RESOLUTION R.310-062019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FIT-RITE UNIFORM CO., INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT - POLICE, CROSSING GUARDS, TRANSPORTATION DRIVERS AND ANIMAL CONTROL PERSONNEL

WHEREAS, bids were received by the Township of Edison on May 23, 2019 for Public Bid No. 19-04-04-Uniforms and Equipment-Police, Crossing Guards, Transportation Drivers and Animal Control Personnel; and

WHEREAS, FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 0708, submitted the lowest legally responsible 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 \$30,000.00, 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 FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 07083, for Uniforms and Equipment-Police, Crossing Guards, Transportation Drivers and Animal Control Personnel is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with, with FIT-RITE UNIFORM CO., INC.

RESOLUTION R.311-062019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO LANIGAN ASSOC., INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT - POLICE, CROSSING GUARDS, TRANSPORTATION DRIVERS AND ANIMAL CONTROL PERSONNEL

WHEREAS, bids were received by the Township of Edison on May 23, 2019 for Public Bid No. 19-04-04-Uniforms and Equipment-Police, Crossing Guards, Transportation Drivers and Animal Control Personnel; and

WHEREAS, LANIGAN ASSOC., INC., 496 Shrewsbury Ave., Tinton Falls, NJ 07701, submitted the lowest legally responsible 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 \$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 submitted by LANIGAN ASSOC., INC., 496 Shrewsbury Ave., Tinton Falls, NJ 07701, for Uniforms and Equipment-Police, Crossing Guards, Transportation Drivers and Animal Control Personnel is determined to be the lowest legally responsible 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 \$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, with LANIGAN ASSOC., INC.

RESOLUTION R.312-62019

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF VARIOUS COMPUTER EQUIPMENT AND SUPPLIES

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

WHEREAS, the Township of Edison is a member of the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

WHEREAS, CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484 has been awarded Contract ESCNJ 18/19-03 (Technology Supplies & Services) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order(s) with CDW GOVERNMENT INCORPORATED for the purchase of various computer equipment and supplies; 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) and any other necessary documents, in the amount of \$35,000.00 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.313-062019

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO DAVID WEBER OIL CO. THROUGH THE ESCNJ COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF AUTOMOTIVE LUBRICANTS & FUEL TREATMENT FOR THE TOWNSHIP OF EDISON

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 EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM 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, the Township of Edison is a member of the ESCNJ COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

WHEREAS, DAVID WEBER OIL CO., 601 Industrial Rd., Carlstadt, NJ 07072, has been awarded Contract ESCNJ 18/19-19 (Automotive & Diesel Lubricants & Fuel Treatment) through this Cooperative Pricing System; and

WHEREAS, the total amount of this contract/Purchase Order(s) in the amount not to exceed \$40,000.00 cannot be encumbered at this time; and

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

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

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

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

- 3. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount of \$40,000.00 with DAVID WEBER OIL CO., 601 Industrial Rd., Carlstadt, NJ 07072, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.

RESOLUTION R.314-062019

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

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

WHEREAS, H-Mart Companies, Inc. has donation and grant funds available, through its 2019 Corporate Giving Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for donation/grant funding for a maximum request of \$10,000.00 from H-Mart Companies, Inc., as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for or receive donation/grant funding from H-Mart Companies, Inc.; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled Public Meeting on the evening of Wednesday, June 26, 2019.

RESOLUTION R.315-062019

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

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy

behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Investors Foundation has grant funds available, through its FY19 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of \$8,500.00 from the Investors Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled Public Meeting on the evening of Wednesday, June 26, 2019.

RESOLUTION R.316-062019

EXPLANATION: A Resolution designating the property commonly known on the Township tax maps as Block 546-I, Lot 37 (aka 1696 Oak Tree Road) as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”), by way of Resolution R.178-032019 adopted March 27, 2019, authorized and directed the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the property identified as Block 546-I, Lot 37 (aka 1696 Oak Tree Road) on the Township’s tax maps (the “**Study Area**”), and to determine that the Study Area meets the criteria for a Non-Condemnation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on June 17, 2019, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the Municipal Council has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

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

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Municipal Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment without the power of eminent domain (the “**Non-Condemnation Redevelopment Area**”), pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

Section 4. The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6b(5)(c) of the Redevelopment Law.

Section 5. The Township Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condensation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.317-062019

EXPLANATION: A Resolution designating the property commonly known on the Township tax maps as Block 1100, Lots 37.A, 38.A and 39.A (18-20 Vineyard Road; Mandy's Towing) as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**Redevelopment Law**"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the "**Municipal Council**") of the Township of Edison (the "**Township**"), by way of Resolution R.605-102018 adopted October 24, 2018, authorized and directed the planning board of the Township (the "**Planning Board**") to conduct a preliminary investigation of the property identified as Block 1100, Lots 37.A, 38.A and 39.A (18-20 Vineyard Road; Mandy's Towing) on the Township's tax maps (the "**Study Area**"), and to determine that the Study Area meets the criteria for a Non-Condensation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on April 15, 2019, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, the Municipal Council has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

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

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the Municipal Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment without the power of eminent domain (the "**Non-Condensation Redevelopment Area**"), pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law.

Section 4. The Township Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6b(5)(c) of the Redevelopment Law.

Section 5. The Township Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condensation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.318-062019

EXPLANATION: A Resolution approving the Settlement Agreement and General Release with Moira McNamara.

WHEREAS, the Township of Edison and certain agents and employees (together, the “**Township**”) are defendants in a lawsuit filed in the Superior Court of New Jersey, Middlesex County, bearing docket number MID-L-6256-17 (the “**Lawsuit**”), with said Lawsuit being filed by plaintiff Moira McNamara (the “**Plaintiff**,” and together with the Township, the “**Parties**”); and

WHEREAS, Plaintiff, in the Lawsuit, asserted claims arising out of Plaintiff’s employment with the Township; and

WHEREAS, the Township filed an Answer denying all liability in connection with the Lawsuit;

WHEREAS, the Township does not and shall not admit liability in the Lawsuit or otherwise, but is desirous of avoiding the cost and expense of further litigation; and

WHEREAS, the Parties have negotiated settlement terms to fully and finally resolve all claims among them, including, but not limited to, all claims in the Lawsuit, in the form of Settlement Agreement and General Release (the “**Agreement**”), a copy of which is attached hereto as Exhibit A; and

WHEREAS, in consideration of Plaintiff being permitted by the Township to change her termination of employment status from “terminated” to “resigned,” Plaintiff agrees to release all monetary claims and any application for fees or costs against the Township and dismiss the Lawsuit with prejudice; and

WHEREAS, the Council desires to approve the settlement terms reached by the Parties, at no financial cost to the Township, in the form of Agreement attached hereto as Exhibit A; and

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

1. The recitals are hereby incorporated as if restated herein in full.
2. The Agreement, attached hereto as Exhibit A, is hereby approved and accepted. The Mayor, along with any other necessary personnel, is authorized and directed to execute the Agreement consistent with the settlement terms set forth therein, and to enter such related agreements and take other such necessary and appropriate action to effectuate the Agreement.
3. This Resolution shall take effect immediately.

RESOLUTION R.319-062019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Second Amendment to the Contract with Edison Water Company for operation, maintenance and management services for the Township’s municipal water system.

WHEREAS, the Township of Edison (the “**Township**”) and Edison Water Company (the “**Operator**”) are currently parties to an agreement, dated June 25, 1997 (the “**Original Contract**”), for the operation, maintenance and management of the Township’s water transmission and distribution system (the “**System**”) pursuant to the New Jersey Water Supply Public-Private Contracting Act, *N.J.S.A. 58:26-19* (the “**Act**”); and

WHEREAS, the Parties entered into an Amendment to the Original Contract, dated June 29, 2017 (the “**First Amendment**” and together with the Original Contract, the “**Contract**”), to provide for the continued operation, maintenance and management of the System through June 30, 2019, pursuant to the terms of the Contract; and

WHEREAS, the Parties agree to amend the Contract to provide for the continued operation, maintenance and management of the System, pursuant to the terms contained therein, for an additional six (6) months, until December 31, 2019 (the “**Second Amendment**”); and

WHEREAS, the Second Amendment to the Contract, a copy of which is attached hereto as Exhibit A, between the Township and the Operator has been prepared by the Township Attorney and has been reviewed and approved by the Operator.

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 Mayor is hereby authorized to execute the Second Amendment substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions,

modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Second Amendment.

2. The Township Clerk is hereby authorized to forward the original and certified copies of the Second Amendment to the Township Attorney.

3. This Resolution shall take effect immediately.

RESOLUTION R.321-062019

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO P & A CONSTRUCTION, INC. FOR THE 2019 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1

WHEREAS, bids were received by the Township of Edison on June 11, 2019 for Public Bid No. 19-30-01-2019 RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1; and

WHEREAS, P & A CONSTRUCTION, INC., PO Box 28, Colonia, NJ 07067 submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$2,648,757.39 which amount includes all alternates A through C; and

WHEREAS, funds in the amount of \$2,648,757.39 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-18-2028-107-000; 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 lowest bid, submitted by P & A CONSTRUCTION, INC., PO Box 28, Colonia, NJ 07067 for the 2019 Road Resurfacing Program Various Streets-Contract 1, has been determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$2,648,757.39, and any other necessary documents, with P & A CONSTRUCTION, INC. as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of \$2,648,757.39 are available in Account No. C-04-18-2028-107-000.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.322-062019

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO P & A CONSTRUCTION, INC. FOR THE 2019 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2

WHEREAS, bids were received by the Township of Edison on June 11, 2019 for Public Bid No. 19-30-02-2019 RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and

WHEREAS, P & A CONSTRUCTION, INC., PO Box 28, Colonia, NJ 07067 submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$2,543,795.05; and

WHEREAS, funds in the amount of \$2,543,795.05 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-17-1988-102-000; 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 lowest bid, submitted by P & A CONSTRUCTION, INC., PO Box 28, Colonia, NJ 07067 for the 2019 Road Resurfacing Program Various Streets-Contract 2, has been determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$2,543,795.05, and any other necessary documents, with P & A CONSTRUCTION, INC. as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of \$2,543,795.05 are available in Account No. C-04-17-1988-102-000.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.323-062019

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO TOP LINE CONSTRUCTION CORP. FOR THE NJDOT MUNICIPAL AID PROGRAM FY 2017 “TALMADGE ROAD (SECTION 3) AND SUTTON PLACE ROADWAY

WHEREAS, bids were received by the Township of Edison on June 11, 2019 for Public Bid No. 19-05-13- NJDOT Municipal Aid Program FY 2017 “Talmadge Road (Section 3) and Sutton Place Roadway; and

WHEREAS, TOP LINE CONSTRUCTION CORP., 22 Fifth St., Somerville, NJ 08876, submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$1,238,541.18 which amount includes all alternates A through C; and

WHEREAS, funds in the amount of \$1,238,541.18 have been certified to be available in the Paving & Reconstruction Various Streets Account, Number C-04-18-2028-107-000; 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 lowest bid, submitted by TOP LINE CONSTRUCTION CORP., 22 Fifth St., Somerville, NJ 08876, for the NJDOT Municipal Aid Program FY 2017 “Talmadge Road (Section 3) and Sutton Place Roadway, has been determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$1,238,541.18, and any other necessary documents, with TOP LINE CONSTRUCTION CORP. as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of \$1,238,541.18 are available in Account No. C-04-18-2028-107-000.

/s/Nicholas C. Fargo
Chief Financial Officer

Township of Edison
Resolution R.324-06019

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the NEW DOVER ROAD REHABILITATION PROJECT.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Edison formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as [MA-2020-NEW DOVER ROAD REHABILITATION PROJEC-00097](#) to the New Jersey Department of Transportation on behalf of the Township of Edison.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the agreement on behalf of the Township of Edison and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 26th of June, 2019.

Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
(Clerk) (Mayor)

Township of Edison
Resolution R.325-062019

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the EDISON STATION PEDESTRIAN IMPROVEMENT project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Edison formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as [SST-2020-EDISON STATION PEDESTRIAN IMPROVEM-00006](#) to the New Jersey Department of Transportation on behalf of the Township of Edison.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the agreement on behalf of the Township of Edison and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 26th of June, 2019.

Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
(Clerk) (Mayor)

RESOLUTION R.326-062019

Explanation: A Resolution authorizing the grant of \$7,827.89 from the Township’s Affordable Housing Emergency Repairs Program to Catholic Charities for the replacement of a burst sewage pipe, two sinks, and interior and exterior damages at Ozanam Family Shelter.

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

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

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

WHEREAS, the Township Council desires to award a grant to Catholic Charities for the replacement of the sewage pipe, two sinks, and interior/exterior cleanup in the dormitory at Ozanam Family Shelter in the amount of \$7,827.89 the purposes set forth herein under the Township’s Emergency Repair Program and to authorize the execution of an Agreement between the Township and Catholic Charities, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a grant in the amount of \$7,827.89 from the Township’s Affordable Housing Trust Fund with respect to the Township’s Emergency Repairs Program, to Catholic Charities for Ozanam Family Shelter, for the purposes set forth herein and authorizes the execution of an Agreement with Catholic Charities, 319 Maple Street, Perth Amboy, NJ 08861 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.327-062019

EXPLANATION: A Resolution Authorizing a Refund for Overpayment of a Development Fee

EDISON TOWNSHIP

RESOLUTION AUTHORIZING A REFUND FOR OVERPAYMENT OF A DEVELOPMENT FEE

WHEREAS, a Development Fee in the amount of \$3,482.00 was paid to the Township by property owner KamFung Chan-Huang with respect to certain development on her property located at 14 Longview Road, Edison; and

WHEREAS, it was subsequently determined that Mrs. Chan-Huang qualified for an exemption from payment of the Development Fee in accordance with Section 30-1.4bii of the Township’s Development Fee Ordinance and therefore is entitled to a refund in the amount paid to the Township of \$3,482.00.

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

1. The appropriate official of the Township is hereby authorized to draw a check to the noted party in the amount of \$3,482.00, and mail to Mrs. KamFung Chan-Huang, 2675 Linder Avenue, No. Brunswick, NJ 08902.
2. This Resolution shall take effect immediately.
3. An original copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.328-062019

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO INNOVATIVE ELECTRICAL CONTRACTING, INC. FOR PURCHASE OF AN EMERGENCY GENERATOR FOR THE EDISON SENIOR CENTER

WHEREAS, bids were received by the Township of Edison on June 4, 2019 for Public Bid No. 19-05-07-Edison Senior Center Emergency Generator; and

WHEREAS, INNOVATIVE ELECTRICAL CONTRACTING, INC., 230 Route 206, Suite 2C, Flanders, NJ 07836 submitted the lowest, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$68,887.86; and

WHEREAS, funds in the amount of \$68,887.86 have been certified to be available in the Infrastructure Improvements Account, Number T-14-18-0520-000-002; 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 lowest bid, submitted by INNOVATIVE ELECTRICAL CONTRACTING, INC., 230 Route 206, Suite 2C, Flanders, NJ 07836, for the Edison Senior Center Emergency Generator, has been determined to be the lowest, legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$68,887.86, and any other necessary documents, with INNOVATIVE ELECTRICAL CONTRACTING, INC., as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$68,887.86** are available in Account No. **T-14-18-0520-000-002**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.329-062019

RESOLUTION AUTHORIZING CHANGE ORDER # 1 TO THE CONTRACT WITH RAPID PUMP AND METER SERVICE FOR EMERGENCY PUMP STATION REPAIRS

WHEREAS, Resolution R. 388-072018 authorized Contract No. 18-01-05 with Rapid Pump and Meter Service, 285 Straight Street, Paterson, NJ 07509 for Emergency Pump Station Repairs in the amount of \$100,000.00; and

WHEREAS, during the performance of said contract an emergency occurred on April 28, 2019 at the Tingley Lane Pump Station whereas the inlet piping system is shut down; and

WHEREAS, it was determined that the Tingley Lane Pump Station is in need of valve changes to return station to normal operation in the amount of \$66,530.31; and

WHEREAS, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

WHEREAS, the amount of this change order is \$66,530.31. The total amount of this change order, is more than 20% of the original contract.

WHEREAS, funds in the amount of \$66,530.31 have been certified to be available in Sewer, Other Professional Services Account, Number 9-07-55-0501-000-028; and

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

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

1. **Change Order # 1 to the contract with Rapid Pump and Meter Service, 285 Straight Street, Paterson, NJ 07509 is hereby authorized.**
2. **A brief notice shall be printed once in an official newspaper and filed with the Township Clerk indicating the additional amount to be expended, the original contract price, the nature of the original and additional work, and why it is necessary to expend the additional funds.**
3. **Notice of this change order shall be filed on an Appendix to the Annual Budget and included as supplemental material in the Annual Audit.**

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$66,530.31 are available for the above in Account No. 9-07-55-0501-000-028.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R. 330-062019

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO CONSOLIDATED STEEL & ALUMINUM FENCE CO., INC. FOR THE PURCHASE AND INSTALLATION OF ADDITIONAL FENCING AT TINGLEY AND EVERGREEN PUMP STATIONS

WHEREAS, there is a need for the purchase and installation of additional fencing at Tingley and Evergreen pump stations; and

WHEREAS, CONSOLIDATED STEEL & ALUMINUM FENCE CO., INC., 316 North 12th St., P.O. Box 649, Kenilworth, NJ 07033, has been awarded State Contract Number 88680 under T-0640/Fence: Chain Link, Rock, Fall, Wooden, Vinyl and Ornamental (Install & Replace); and

WHEREAS, the total amount of this contract, shall not to exceed \$6,880.00; and

WHEREAS, funds in the amount of \$6,880.00 have been certified to be available in the Sewer-Capital Improvement Projects Account, Number 9-07-55-0501-000-117; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$6,880.00, and any other necessary documents, with CONSOLIDATED STEEL & ALUMINUM FENCE CO., INC., for the purchase and installation of additional fencing at Tingley and Evergreen pump stations 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. A88680/T-0640.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$6,880.00** are available for the above in Account No. **9-07-55-0501-000-117**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.331-062019

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 STO0000334, to the following:

Permit Number: DEV-0077

Opening Location: 23 DEY PL

Block/Lot: 161.J/32

Applicant's Name & Address:

**EMC PAVING LLC
57 JUSTICE STREET
PISCATAWAY NJ 08854**

Initial Deposit Date: 2/22/2019

Deposit Amount: \$640.00

Paid by & refunded to:

**EMC PAVING LLC
57 JUSTICE STREET
PISCATAWAY NJ 08854**

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.332-062019

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 STO0000290, to the following:

Permit Number: DEV-0010

Opening Location: 29 STEPHENVILLE PKWY

Block/Lot: 1021/25

Applicant's Name & Address:

**VICTORY BUILDERS LLC
2 FISHEL RD
EDISON, NJ 08820**

Initial Deposit Date: 07/13/2018

Deposit Amount: \$6080.00

Paid by & refunded to:

**VICTORY BUILDERS LLC
2 FISHEL RD
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.333-062019

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 STO0000345, to the following:

Permit Number: DEV-0089

Opening Location: 166 LORING AVE

Block/Lot: 156/17.A

Applicant's Name & Address:

**JO ANN S. GARLAND
166 LORING AVE
EDISON NJ 08817**

Initial Deposit Date: 04/09/2019

Deposit Amount: \$3880.00

Paid by & refunded to:

**JO ANN S. GARLAND
ROBERT B. GARLAND
166 LORING AVE
EDISON NJ 08817**

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.334-062019

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 STO0000333, to the following:

Permit Number: DEV-0068

Opening Location: 217 GARFIELD ST

Block/Lot: 912/3.A

Applicant's Name & Address:

**E.R.N.A. PROPERTIES, LLC
320 BROAD STREET
RED BANK, NJ 07701**

Initial Deposit Date: 12/20/2018

Deposit Amount: \$640.00

Paid by & refunded to:

**E.R.N.A. PROPERTIES, LLC
320 BROAD STREET
RED BANK, NJ 07701**

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.335-062019

**DRIVE SOBER OR GET PULLED OVER
2019
Labor Day Crackdown
Grant Application**

WHEREAS, the Division of Police will apply for grant funding in the amount of \$5,500.00 to provide additional manpower hours to enforce DWI Laws; and

WHEREAS, in 2018, nationwide, fatalities from traffic accidents remained above 40,000, many of which related to alcohol consumption; and

WHEREAS, an enforcement crackdown is planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

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

WHEREAS; the project will involve increased enforcement from August 16 through September 2, 2019; and

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

THEREFORE, BE IT RESOLVED that the Edison Township Council on behalf of the Division of Police wishes to apply for the grant, Drive Sober or Get Pulled Over 2019 Labor Day Crackdown between August 16, 2019 – September 2, 2019 and pledges to increase awareness of DWI Laws.

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

RESOLUTION R.336-062019

WHEREAS, New Beginnings Church of the Nazarene has requested a waiver of any and all permit and/or application fees for Electrical Outlets (3) to be added in the Kitchen at 80 Jefferson Blvd., Edison.

WHEREAS, under the building code, New Beginnings Church of the Nazarene, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees for Electrical Outlets (3) to be added in the Kitchen except the DCA fee, due to the Township of Edison as a result of the application being submitted by New Beginnings Church of the Nazarene, 80 Jefferson Blvd., Edison, NJ.

RESOLUTION R.337-062019

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 26, 2019.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-047-001	Raritan River Boat Club Thompson Place	Edison, 08817
1205-31-068-001	Edison Township Memorial Post 3117 53-57 National Road	Edison, 08818

RESOLUTION R.338-062019

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 26, 2019.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-005-006	Sondek, Inc. t/a Richie’s Sport Bar 52 Vineyard Road	Edison 08817
1205-33-010-004	Skylark Diner 17 Wooding Avenue	Edison, 08817
1205-33-011-009	Pines Manor 2085 Route 27	Edison, 08817
1205-33-022-005	Aum Bar & Grill LLC t/a Elixir Bar & Grill 2222 Woodbridge Avenue	Edison, 08817
1205-33-027-007	Nordstrom, Inc. 449 Menlo Park	Edison, 08837
1205-33-032-004	Brinker International t/a Chili’s 1665 Oak Tree Road	Edison, 08820

RESOLUTION R.339-062019

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 26, 2019.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-36-055-003	Raritan Hospitality t/a E Hotel 3050 Woodbridge Avenue	Edison, NJ 08837
1205-36-065-002	Interstate management Hotel Trust t/a Sheraton Edison 125 Raritan Center Parkway	Edison, NJ 08837
1205-36-066-002	CP Edison, LLC t/a Courtyard Marriott 3105 Woodbridge Avenue	Edison, NJ 08837

RESOLUTION R.340-062019

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 26, 2019.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-033-003	Donald Vincz t/a Vincz's Food & Liquor 1066 Amboy Avenue	Edison, NJ 08837
1205-44-036-006	Y T & T, Inc. t/a Harvest Wines & Spirits 2370 Woodbridge Avenue	Edison, NJ 08817
1205-44-059-002	VW and Sons, Inc. t/a VW Liquors 591 U.S. Route 1	Edison, NJ 08817

1205-44-061-002	Y S S & D Inc. t/a Edison Discount W & S 144-146 Talmadge Road	Edison, NJ 08817
1205-44-067-001	Wine Amphorae East Brunswick, LLC t/a Wine Amphorae @ Sams Club 883 Route #1 South	Edison, NJ 08817
1205-44-070-002	SPTP, Inc. t/a 1129 Iman Avenue	Edison, NJ 08820
1205-44-072-002	Liquor Land, LLC t/a Liquor Cave 775 U. S. Route 1, Unit 8	Edison, NJ 08817

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

ABSENT: Councilmembers Coyle and Joshi

NAYS - None

The following Resolutions will be voted upon separately:

RESOLUTION R.320-062019

EXPLANATION: A resolution authorizing the sale of Township property not needed for public use pursuant to N.J.S.A. 40A:12-13.1.

WHEREAS, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq. (the “Act”), the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) may sell any real property, capital improvement or personal property, or interests therein, not needed for public use, as set forth in an ordinance authorizing the sale; and

WHEREAS, on December 27, 2018, the Municipal Council adopted Ordinance O.2036-2018, which authorized the sale of the property, listed as Block 376, Lot 2.B2 on the tax map of the Township, and located in the area of Meadow Road (the “**Property**”), to the highest bidder, pursuant to N.J.S.A. 40A:12-13(a); and

WHEREAS, the Township received three bids in response to its Request for bids on February 14, 2019: (1) Yannuzzi Group, Inc. (\$2,600.00); (2) RJ Hospitality LLC (\$101,000.00); and (3) Parim Investment (\$300,000.00); and

WHEREAS, the bids submitted by RJ Hospitality LLC and Parim Investment were non-compliant, pursuant to N.J.S.A. 40A:11-23.2(b), because these bidders failed to submit the necessary Consent of Surety in relation to the \$2,000,000.00 performance bond required by the Township and, as a result, these bids were rejected; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13.1, the sale by any municipality of any real property not needed for public use by public sale to the highest bidder pursuant to the provisions of N.J.S.A. 40A:12-13(a) may be authorized by resolution of the municipality; and

WHEREAS, the Municipal Council hereby determines that Yannuzzi Group, Inc. is the highest responsive bidder and that the Township is authorized to sell the Property pursuant to N.J.S.A. 40A:12-13.1.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at

length.

2. The Township is authorized, subject to the terms and conditions hereafter set forth, to offer for private sale, pursuant to N.J.S.A. 40A:12-13(a) and N.J.S.A. 40A:12-13.1, all of the Township's rights, title and interest in the Property, to Yannuzzi Group, Inc, and the Mayor is authorized to execute any documents necessary to effectuate such sale.

3. The conveyance of the Property shall be: (1) for the total parcel without the subdivision or sale of a portion thereof; (2) by quit claim deed without any covenants; (3) subject to any statement or facts which an accurate survey would show; (4) subject to all covenants, conditions, easements, liens and restrictions of record, as well as applicable ordinances of the Township; (5) without obligation of the Township to provide access, public or private, or any improvements thereon or thereto; and (6) with all sales being "as is" without any representation whatever as to character, quality, condition or otherwise, bidder being deemed to have inspected the Property and waived any objections to the conditions thereon. The Township offers no warranty as to any environmental condition which may exist on the Property and no representation as to the Property's development potential.

4. In the event Yannuzzi Group, Inc. should for any reason not pay the purchase price balance due as above provided, the Township reserves the right to cancel the sale and retain the ten percent (10%) deposit as liquidated damages for non-performance.

5. In the event title is not insurable at prevailing rates by a reputable title insurance company, the successful bidder's sole remedy shall be to give written notice of cancellation of the bid to the Township within ninety (90) days of the date of bid. In that case, the Township shall refund the deposit, and there shall be no further obligation by either party to the other respecting said bid or any obligations created by the giving or acceptance of said bid.

6. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Resolution is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Resolution.

7. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

Councilmember Patil mentioned a few months ago we should have a starting price in the bid. This property is eight acres in size. The adjacent lot is the same buyer. He will not be supporting this he feels we are giving it away.

Council President Gomez, explained the other bidder didn't have the requirement of the two million dollar bond.

Councilmember Lombardi, they have to take on liability to clean up the property at the very least the cost of clean is about 1.5 million, so I respectfully disagree that we are giving this property away. The EPA requires this clean up or we will be subject to fines.

Councilmember Diehl, being cleaned up under pressure for DEP to do and given the location and history of this property if there is further contamination it's the buyers' responsibility.

Councilmember Sendelsky agrees with Councilmembers Diehl and Lombardi, it's not giving it away there are certain requirement they did not meet the criteria. The bidding process has rules to follow.

Council President Gomez, the clean-up estimate of 1.5 is to remove what is there not we do not know what is underneath.

A motion was made by Councilmember Diehl, seconded by Councilmember Sendelsky to adopt this Resolution.

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

ABSENT: Councilmembers Coyle and Joshi

NAYS - Councilmember Patil

COMMUNICATIONS:

- a. Received email from Robin Kenny regarding June 12, 2019 Meeting.

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

ORAL PETITIONS AND REMARKS

Council President Gomez opened the meeting for public comment.

Walter Stochel, 2118 Oak Tree Road, on May 19th Edison Metuchen Bike Tour, he would like to thank Joyce from our Recreation Department, our Department of Public Works and Edison Police. This was our 23rd year and one of the largest crowds. Mayor Bush of Metuchen got a grant to do a bike lane along Grove Avenue. He asked if we have any plans to apply for a grant along Grove Avenue.

Ms. Ruane said we are looking into that through our grant writer.

Maria Orchid, 83 Jefferson Avenue, disappointed about farmers market. Mr. Elliot is trying to get another farmer. She asked about when is Grandview Avenue getting fixed?

Ms. Ruane, replied Grandview Avenue is part of 2019 Paving Program.

Laura Scarola, 4 Longview Road, she expressed her objections to the Suez Agreement. She highlighted several concerns such as the rate schedule, arbitrations clauses and contract termination.

Bruce Diamond, 74 Calvert Avenue, glad to see R.320-062019 it seem to me the other two bidder chose not to cover the Performance bond and the liability for the town would have been a lot more than the two to three hundred thousand. He was disappointed in Council Joshi Facebook to be short sited not looking at bigger picture.

Cristo, 14 Fox Road, Resolution R.320-062019 what is the contamination.

Mr. Northgrave explained the estimate is 1.5 million to remove the mulch.

Anthony DeAmorin, 15 Rodak Circle, he told a quick story as one of petitioners who circulated the petition. His point is the people don't want this deal you have an opportunity to do the right thing.

Joseph Johnson, 407 Durham Avenue, the Leana Harris Foundation is sponsoring a Baseball tournament on July 27, 2019 at the Metuchen Field he would like to invite all councilmembers.

Elizabeth Conway, 20 Netherwood Circle, the increase in the sewerage is there a dollar amount for seniors or is it just age. She noticed the senior building on the corner of Iman and Grove the name is changes is it still a senior building.

Ms. Ruane said yes only age.

Mr. Northgrave, yes but the town doesn't control management of the building.

Phyllis Frederick, 107 George Avenue, R.320-062019 asked where is it located. Is it zoned recycling wouldn't that benefit the town.

Mr. Northgrave, it's on Meadow Road. He explained the history of that site, clean up and the sale.

Walt Shneer, Park Way, there are trailers at the boat dock are and it looks like the dump.

Mr. Russomano explained the trailers are Edison Wetland Assoc. We are hoping for September to have a recycling center there.

Charlie Kratovil, New Brunswick Today, he asked for confirmation the Committee of the Whole next meeting is July 8th 6:30pm and on July 10th 6pm Public Hearing on the Initiative Petition Ordinance if approved its law and if not it goes to the voters.

Mr. Northgrave, explained the Statue and that an Initiative Ordinance has no power to veto.

Junior Romero, Food and Water Watch, thanked the Township Clerk and employees for going thru the petition process. He feels it's best to have in the public's hand and for rate payers. The Voters have spoken with their petition, I urge this council to vote yes.

Esther Nemitz, 162B Fay Street, on behalf of Greenway Group in Edison will be meeting on Saturday, June 29th to discuss our area. Library Board Meeting will begin to start at 7:00pm. She is looking forward to hear on the book mobile.

Mary Ann Hennessey, 20 Carmello Drive, she is in support with Esther on the Book Mobile. She has been started watching the Library Board Meeting, they do not know how to run a meeting.

Mr. DeAmorin, happy people are bring up the Library Board. We should put Library people on that board not Committee People. .

Hearing no further comments from the public Councilmember Diehl made a motion to close the public hearing, which was seconded by Councilmember Lombardi 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 8:39 p.m.

Alvaro Gomez
Council President

Cheryl Russomanno, RMC
Municipal Clerk